

Party principles and practical politics,

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PARTY PRINCIPLES AND PRACTICAL POLITICS

BY

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TO ELIZABETH SMITH

MY HIGH SCHOOL TEACHER OF HISTORY AND GOVERNMENT,
THIS BOOK IS AFFECTIONATELY DEDICATED

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PREFACE

In writing on the subject of party principles and practical politics, I have attempted to state in a concise way the issues that have divided the major parties since colonial days and to present the practical aspects of political operation, for the use of college students pursuing a course in party government and for the information of those actively engaged in politics who wish to acquire a somewhat historical background. The history of parties may be somewhat fragmentary; yet, I have included more material on this subject than is to be found in most of the other available texts. A more complete history of parties in this country may be secured from texts dedicated entirely to that purpose and to political and constitutional histories. In the treatment of other chapters I have perhaps not maintained an appropriate balance, but I have sought to give more space to subjects where discussion of propriety of policy may be stimulated.

For information on proportional representation and for many suggestions concerning it, which I have incorporated in the manuscript, I am indebted to Dr. George H. Hallett Jr., executive secretary of the Proportional Representation League. Mr. Judson King, Director of the Popular Government League, placed information at my disposal from which I wrote largely the material pertaining to the initiative and referendum. Mr. Henry W. Marsh, Secretary of the National Civil Service Reform Association, kindly criticised my pages concerning the civil service. Mr. Williamson and Mr. Gillespie of the Supreme Court Library were patient and obliging at all times when I was compiling information concerning corrupt practices. Representative Finis J. Garrett of Tennessee furnished me with the rules of the Democratic House Caucus. Mr. Henry G. Adams of the law division of the department of state of New York very kindly placed at my disposal statements of expenditures of political committees in New York, and Mr. George M. Neffner, statistician and editor,

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of the department of state of Ohio, furnished me with similar information. Miss Jennie Fortune, secretary of state of New Mexico, furnished me with the ballot from that state. The Automatic Registering Machine Company of Jamestown, New York, furnished me with the photograph of the demonstration of the New York City voting machine. Mr. Richard T. Buchanan of the Democratic National Committee and Mr. J. Bennett Gordon and his assistants of the Republican National Committee very kindly complied with all my requests for information and assistance. Mr. Morris Hillquit gave me the necessary information on the organization of the Socialist party. Professor Rinehart J. Swenson of New York University was helpful with suggestions as to form and content. I am particularly indebted to six of my students at New York University, Mr. Philip J. Morrison, Mr. Morris Wallfisch, Mr. Max Goldman, Mr. Samuel Zwirn, Mr. Moe Reiss, and Mr. Isadore Drachlis, who assisted me with the preparation of the manuscript, and to Mr. William B. Quarton, Jr., and Mr. Hubert Essley who similarly aided. Mrs. Grace Ford, Mr. Herbert Gladstone, and Mr. Sigmund Zega of the New Jersey Law School aided me with the index.

STUART LEWIS.

CONTENTS

CHAPTER

PAGE

I—DEFINITION AND NATURE OF PARTY . . .	1
Definition and description; Names; Membership; Members; Emblems and insignia; Factions and blocs; Fusion.	
II—COLONIAL AND REVOLUTIONARY PARTIES . .	11
English parties; Early American divisions; Revolutionary divisions; Fate of the Tories.	
III—THE PARTY OF THE CONSTITUTION . . .	17
Weaknesses of the Confederation; Selfish interests involved; Personnel of Convention; Parties in the Convention; Ratification.	
IV—RULE OF THE FEDERALISTS	25
Basis of issues; Nucleus of Anti-Federalists; Hamilton injects issues; Organized party opposition; Influence of French Revolution; Adams elected President; Legislation under Adams; Diplomatic difficulties; Jefferson chosen President.	
V—DEMOCRATIC-REPUBLICAN CONTROL . . .	46
Change of Presidential election; Federal judiciary; Achievements under Jefferson; Federalist disloyalty; Changed policies; Election of Jackson.	
VI—DEMOCRATS AND WHIGS	62
Jacksonian era enters; Jacksonian policies; Democratic calamity; Texas and Oregon; New political groups; Slavery's last stand.	
VII—WAR AND RADICAL REPUBLICANISM . . .	84
War alignments; Realignment under Johnson; Grant's policies; The contested election; Tariff changes.	
VIII—CLOSE DIVISION AND CONFUSION . . .	96
New issues arise; Aftermath of contested election; Monetary question acute; Stalwarts and half-breeds; Republican revival; Democratic success; Tariff as the principal issue; Rise of the Populists; Cleveland versus Harrison again; Democratic demoralization; Free silver.	

IX—CONSERVATIVE REPUBLICANISM 113

Business conservatism; Roosevelt's succession; Roosevelt's second term; Republican insurgency.

X—WILSON AND RETURN TO "NORMALCY" . . . 128

Democratic control; Republicans returned.

XI—PARTIES OF TO-DAY 142

Country normally Republican; Sectional variance; Racial allegiances; Head and tail strength; Class interests; Urban and rural vote; Religious influence.

XII—SUFFRAGE 151

Colonial suffrage; Universal white manhood suffrage; Negro suffrage; The immigrant and suffrage; Women's suffrage.

XIII—CONVENTION AND CAUCUS 171

Colonial nominations; Congressional nominating caucus; Legislative nominating caucus; Early Presidential nominations; First national conventions; Early conventions; Caucus and convention advantages; Withdrawals; Designation; Independent nominations.

XIV—THE DIRECT PRIMARY 184

History of; Eligibility for primaries; Conduct of primaries; Regularity by defeated candidates; Restricted nominations; Pre-primary conventions; Open and closed primaries; Preferential ballots; Run-off primary; Iowa plan; Primary dates; Advantages and disadvantages; Non-partisan primary; Increased use of primary.

XV—THE NATIONAL CONVENTION 205

Issuance of call; Delegates chosen by conventions; Presidential preferential primaries; Preliminary committee meeting; First work of convention; Nomination of candidates; Two-thirds rule; Unit rule; Types and availability of candidates; Convention maneuvering; Personnel of conventions; Notification of candidates; Launching independent Presidential candidacies.

XVI—PARTY ORGANIZATION 228

Organization direction; National committees; Senatorial committees; Congressional committees; State committees; District committees; County committees; New York City; Chicago; Philadelphia; Walb plan; Socialist party organization.

CONTENTS

ix

CHAPTER

PAGE

XVII—CAMPAIGN METHODS 249

Types of appeal; Records and issues; Use of mails; Meetings; Types of campaign; Publicity; Text books; Schools for workers and speakers; Individual solicitation; Local work; Predictions and bets.

XVIII—PARTY FINANCE 266

National campaign funds; Expenditures of 1926; Collection of funds; Methods of national committees.

XIX—CORRUPT PRACTICES 289

Bribery; Campaign expenditures; Contributions from corporations; Protection to candidates; Early Federal laws; The Newberry case; Present Federal law; Policy of the Senate and House; Publicity pamphlets.

XX—THE BALLOT 321

Early balloting; Australian ballot; Residence requirements; Registration; Absentee voting; Conduct of the election; Ballot frauds; Voting machines; Short ballot movement; Indifference of electorate; Compulsory voting.

XXI—REPRESENTATION 347

Origin of term "gerrymander"; Constitutional provision; Legislative action; Legislative inaction; Disproportionate representation; The limited vote; Cumulative voting; Bucklin plan; Hare system; List system.

XXII—PATRONAGE AND CIVIL SERVICE 372

Early Federal appointments; Spoils system established; First reform legislation; Pendleton act; Recent changes and operations; State and municipal laws; Patronage; Perquisites; Legislative trading; Ripper legislation; Graft.

XXIII—PARTY LINES IN OFFICE 390

Control; Party caucuses and conferences; Choice of committees; Steering committees; Whips; Pairs; Bi-partisan boards.

XXIV—INITIATIVE, REFERENDUM, AND RECALL . . . 403

Origin and purpose; Petitions; Adoptions and amendments of constitutions; Illinois public policy law; Local option; Federal constitutionality; Advantages; Disadvantages; Publicity pamphlets; Practical operation; Recall of officials; Recall of judicial decisions.

CONTENTS

CHAPTER

PAGE

XXV—POLITICAL ACTIVITIES OF INDIVIDUALS . . .	421
---	-----

Without party affiliation; Political affiliation; Opportunities for service.

APPENDICES	428
----------------------	-----

(A) Party platforms of 1924; (B) Political Control in the Presidency and in Congress, 1789-1929; (C) Electoral and Popular Vote for President; (D) The Constitution of the United States.

INDEX	501
-----------------	-----

ILLUSTRATIONS

	PAGE
Party Enrollment Blank Used in New York City	189
Campaign Poster Used by New York Democrats in 1926	260
Registration Card Used by Queens County, New York, Repub- licans	262
New York Municipal Ballot	322
New Mexico State Ballot	323
Iowa Republican Primary Ballot	325
Voting Machine Used in New York City	336
Map of Illinois Congressional Districts	351
Map of Allegheny County, Pennsylvania, Congressional Districts	352

PARTY PRINCIPLES AND PRACTICAL POLITICS

CHAPTER I

DEFINITION AND NATURE OF PARTY

Definition and description.—Professor James A. Woodburn thus defines a political party:

✓ “We may think of party as a voluntary political association through which the people seek to formulate government policies and select the officials to carry out these policies. In a genuine party not disrupted by factions, the members will share the same opinions on dominant issues and favor the same public policies, though there will always be minor differences of opinion among any considerable group of men.”¹

Professor P. Orman Ray defines a party as follows:

“A political party is a durable organization of individuals, or groups of individuals, fluctuating in personnel and numbers, united by common principles or a common policy, and having for its immediate end the control of the government through the carrying of elections and the possession of office.”²

Professor Charles E. Merriam thus describes the party:

“The party may be looked upon as a type of social group, primarily concerned with social control as exercised through the government.”³

Professor Robert C. Brooks gives the following definition:

✓ “A political party is a voluntary organization of individuals or groups of individuals advocating certain principles and policies as superior to all others for the general conduct of government, and which, as the most immediate method of

¹ James A. Woodburn, “Political Parties and Party Problems in the United States,” (1914), p. 230.

² P. Orman Ray, “An Introduction to Political Parties and Practical Politics,” rev. ed., (1917), p. 9.

³ Charles E. Merriam, “The American Party System,” (1924), p. 382.

securing their adoption, designates and supports certain of its leaders as candidates for public office."⁴

Professor Edward M. Sait defines a party in the following words:

"Party may be defined as an organized group that seeks to control both the personnel and the policy of the government."⁵

A party, first, must have an organization. The organization may be altogether informal in nature. It may merely circulate the petitions or take such other steps as are necessary to get a candidate or a group of candidates on the ballot, and it may then yield to another informal group which manages the campaign. Unless such an organization becomes more formal after the election, it will likely pass out of existence. It may consist of an organization which has been set up through custom and which preserves for itself a continuity of existence from one campaign to another through a system of committees. Rules adopted by the party may state what the committees shall be and how they shall function. Then, again, a party may come into official existence through statutory provisions. An illustration would be where a party had polled a minimum vote as required by the law and then would have the right to choose committees and other officials in a prescribed form. Then, again, the party may have a definite and complete organization outlined by its own rules, as is the case of the Socialist party, and then at the same time form such additional committees as are required by the laws of the different states in order to secure the ballot and polling advantages enjoyed by its competitors. It is conceivable, under the last contingency, that a party recognized by statute might secure control, as far as the state is concerned and be recognized by its election officials, but receive no sanction from the national organization of the party which would coöperate with the organization it had erected by its own rules.

The party must have candidates. Without candidates, it cannot secure control of offices and it is for them that the supporters of the party must vote. These candidates need not belong to the same political party. They may belong to another, but at least they must receive the endorsement of the

⁴Robert C. Brooks, "Political Parties and Electoral Problems," rev. ed., (1927), p. 14.

⁵Edward N. Sait, "American Parties and Elections," (1927), p. 141.

party. Ordinarily, of course, they are members of the party upon whose ticket they run. This is not always true. Horace Greeley, a Liberal Republican, was the Democratic candidate for President in 1872.

The candidates of the party represent, generally, a principle or set of principles upon which their conduct of office will be based in the event of their election. These principles may be enunciated by platform utterances of the party or by a record of performance or opposition.

The party also has a set of policies. Policies differ from principles in that they are of less permanent duration. They may be mere pronouncements for the sake of winning a certain campaign or attracting a discordant element in an opposition party. They may be for the purpose of meeting an emergency in governmental affairs brought on by a crisis and meant to be only of temporary application.

The party also must have members or supporters. These members need not be in the main formally enrolled members of the party, but at least they must give it sufficient support to maintain its position on the ballot. When the members cease voting for the party candidates, the party necessarily passes out of existence.

A political party, therefore, is an organization sponsoring at the polls candidates who are recognized as favoring certain principles, adopting necessary policies, and having support from the electorate.

Whenever, therefore, a group of voters advocating definite principles comes together, adopts certain policies, effects an organization, and nominates candidates, a party is formed.

Many organizations are devoted solely to political purposes and yet are not parties. The Anti-Saloon League has existed for many years for the purpose of bringing on and enforcing prohibition. While the Anti-Saloon League has endorsed candidates for office, it never has discriminated between the parties in doing so, being indifferent as to the views of candidates on all issues other than prohibition. In New York it must file a statement of its party expenditures, although it has never run a candidate as an "Anti-Saloon League" nominee and therefore has not become a party. Similarly, the Board of Temperance, Prohibition, and Public Morals of the Methodist Episcopal Church has indicated its unwillingness to

accept certain men as Presidential candidates, at the same time approving others. Nevertheless, while its aims are largely political, it never has signified any desire to run a candidate for office. The Prohibition party, with similar principles, entered the field in competition with the older parties and still nominates candidates in many of the states. Had prohibition awaited the success of the party which bears its name, the Eighteenth Amendment probably never would have been adopted.

The National Woman's party has adopted for itself the name of a party and has endorsed women candidates for office. It has done so as an organization with political aims rather than as a party. If it sought to run candidates in any state under the "National Woman's party" designation, it would become actually a political party.⁶

The Citizens' Union exists in New York partly for the purpose of securing the re-election of sitting judges. It was not a political party until it nominated candidates. This it did in 1910 when three candidates were named on the ballot under its emblem. It represented a principle, had candidates in the field, and so far as that campaign was concerned was a party, even though its candidates also appeared as the nominees of other parties.

The Proportional Representation League exists solely for political purposes and yet is not a party. Again, an organization may have a political aim in addition to other activities in promoting a certain principle. As an example, the American Arbitration Association, which was organized solely to promote commercial arbitration, is sponsoring legislation along lines which it thinks will most effectually aid its cause.

The Non-Partisan League was formed by A. C. Townley in the Western states with the idea of securing the adoption of certain economic principles for the benefit of the farmer. Townley and the other leaders realized the difficulty that would be encountered, yet they attempted to build a new third party and so they sought to control one of the existing political organizations in each of the states they entered. They secured control of the Republican party in North Dakota and thus became the party itself in that state. They even

⁶ See pp. 166-167.

caused the old line Republicans and Democrats to fuse candidates against them. They secured control of the Democratic organizations in South Dakota and Montana and nominated most of the candidates in those states. Still the Non-Partisan League was not a party, as officially and legally the old parties continued their tickets in the field, although the League made the majority of the nominations on one of them.⁷

Names.—A party generally selects a name which is intended to distinguish its principles and have a popular appeal. At times, the name is forced upon it by its opponents, just as the dissenting Congregationalists who preferred to be called "Liberal Christians" were forced to accept the appellation of "Unitarian." The name "Democratic," adopted by the Jacksonians, was, with some people, a term of reprobation for the Jeffersonians, who, in many states, preferred to be known as Republicans, although in others they had no objection to the other title. The Prohibition party expressed in its title its principal aim. The Socialist and Socialist-Labor parties identified themselves through their names with an international movement of considerable reputation. The name "Progressive" was selected for the Rooseveltian party in 1912 because of the popularity a faction of the Republican party had secured for itself by the use of the word. The term meant something in the popular mind. Likewise the Single Tax party, forerunner of the Commonwealth Land party, indicated by its title allegiance to the economic principles of Henry George.

Membership.—The membership of a party is attracted to it for many reasons. There are those who support its candidates because of conversion to its principles or because of a definite understanding of the major issues and a conviction that the party more nearly represents the individual's viewpoint. This class of its members doubtless is in a very small minority. Included in the number are those who act selfishly and those who act unselfishly. A union labor worker may vote the Democratic ticket because in most of the recent Presidential campaigns the American Federation of Labor has ad-

⁷ For accounts of the Non-Partisan League, see: Herbert E. Gaston, "The Non-Partisan League," (1920); Charles Edward Russell, "The Story of the Non-Partisan League," (1920); Andrew A. Bruce, "Non Partisan League," (1921); and William Langer, "The Non-Partisan League," (1920).

vised him so to do. Likewise, the Wall Street broker may believe that Republican success will mean more influence in matters of government by the financial interests and for that reason he supports that party. There may be another worker who, while he believes that organized labor would have more influence with a Democratic administration than with a Republican, will vote the latter ticket as being the best for all concerned. Similarly, another Wall Street broker may believe that a Democratic victory will bring more general prosperity without the dominance of the business interests, and therefore he will align himself with the party. The last two votes would be, perhaps, more unselfish than those of their two brethren. While the Socialist party has always claimed for itself the province of representing labor, only a small percentage of the labor vote ever has been identified with the movement.

A large part of the American voting public acquires its political affiliation through inheritance. Son votes as father, or wife as husband, in thousands if not millions of instances. Thus in the North many veterans of the Civil War affiliated themselves with the Republican party because of a conviction that it was the party which saved the union. Those who opposed the Civil War were for the most part in the Democratic ranks. Their descendants in many cases now vote as their ancestors would have voted during the war and Reconstruction days. Likewise, many women have been accustomed to letting the men do the political thinking for the family. Therefore, it is easy for them to vote as their husbands, who have had longer experience with the ballot, suggest.

Many people acquire their political affiliations through association. Northerners migrate to the South and find that election contests are largely determined in the Democratic primary. The people of social and business prominence are affiliated with the Democrats. The Republican organization exists largely on paper. The newcomers want to be with the power; therefore, they register as Democrats and vote in that primary. Otherwise, they have virtually no voice in public affairs. This happens in other communities where one party largely is in the ascendancy.

Emblems and Insignia.—Cartoonists have accepted the donkey as being the emblem of the Democratic party and the elephant that of the Republican. The designation of the don-

key has not been accepted without protest by some of the Democrats who maintain that the rooster is the proper emblem of the party. When the Progressive party was created by the Roosevelt candidacy in 1912, someone ingenuously suggested the bull moose as the party emblem and many referred to the party as the "Bull Moose party." In Pennsylvania a Bull Moose ticket was placed on the ballot that year in support of the Roosevelt candidacy. It was easy for the camel with his arid tendencies to be accepted as the emblem of the Prohibition party. "Miss Democracy" has been represented as emblematic of the party, being an old maid with long white curls hanging down her cheeks. "G. O. P.," the abbreviation for "Grand Old Party," denotes the Republican party.

In many states an emblem or insignia is placed at the head of the party column on the ballot for the guidance of the voter. In New York, the Democratic emblem is that of a star, the Republican that of an eagle. In New Mexico, the Democrats have chosen a shield surmounted by an eagle; while the Republicans use the American flag.

Factions and blocs.—A faction is a part of the party less than the total membership. It is usually in disagreement on one or more issues with the remainder of the party. Factions have been a part of American parties since their early life. The Hamiltonians were opposed to the ascendancy of John Adams in the Federalist party, because his ascendancy gave rise to two distinct parties. At the present time there is the insurgent progressive Republican faction of that party which looks more to the leadership of such men as the late Senator Robert M. LaFollette of Wisconsin and Senator George W. Norris of Nebraska. At times a faction may bolt and support an opposing ticket or form a new party. Most of the progressive Republicans followed Theodore Roosevelt in the formation of the Progressive party in 1912. The silver Republicans endorsed Bryan in 1896 at the same time that the gold Democrats with the support of President Cleveland organized a party of their own. Such parties, made up of former factions of another party, are not likely to be of long duration. The "barnburners" and "hunkers" were factional names often applied in early New York Democratic politics. Likewise, "standpatter" and "reactionary" were applied in recent years to "conservative" or "regular" Republicans by

their "progressive" or "insurgent" brethren. Often a faction is identified by the name of the most prominent member or members, such as the Edge faction of the Republican party in New Jersey or the Harrison-Dunne-O'Connell faction of the Democratic party in Cook county, Illinois.

A bloc is a merging together for control on certain issues of parts of more than one party in a legislative body. The bloc entered American politics in 1921. At that time, the agricultural interests in Congress, regardless of party, began to seek legislative favors. Senator William S. Kenyon of Iowa rose to the leadership of the "farm bloc" in the Senate, and Representative L. J. Dickinson of the same state in the House. Apparently there was no election in either case, but when Kenyon left the Senate, a meeting of the bloc was called and Senator Arthur Capper of Kansas was elected as its leader. This meeting had more Democrats than Republicans in attendance and yet chose a Republican as leader of the bloc. There may be even a bloc within a bloc. When the Fordney-McCumber tariff bill was under consideration in the Senate, Senator Frank R. Gooding of Idaho was recognized as the leader, in attempting to secure the maximum tariff rates on agricultural products, and his group was called the "protective tariff-farm bloc group." Similarly, veterans of the World War organized themselves into a "veterans bloc" which resulted in the creation of a special committee for legislation for former service men and the passage of other bills favored by their organizations. Workers for the repeal of the Volstead act have aligned themselves into a "wet bloc," and their more militant opponents into a "dry bloc." While with our system of government these blocs would never seek to perfect an organization of the House or Senate, yet they serve the convenient purpose of bringing together a group with similar views on a matter which is not of the fundamental character of the issues that divide the Republican and Democratic parties. Their followers in different states might be factions, such as the "wet" and "dry" elements in both parties in many of the states.

Fusion.—Fusion is the nomination by more than one party, of a candidate or set of candidates for an office or offices to be filled at an election. When the Liberal Republicans nominated Greeley and Brown in 1872, the Democrats accepted

the ticket.⁸ In 1896, occurred the fusion between the Democrats and Populists on William Jennings Bryan for President. The parties differed as to Vice Presidential nominees, but made a division of electors in twenty-six states.⁹ Following the campaign of 1896, several states controlled by the Republican party passed laws making it illegal for a candidate to run on more than one ticket. The Middle Western states of Illinois, Indiana, Michigan, Ohio, and Wisconsin all passed such laws which are still in effect. Pennsylvania and New York still permit fusion.

The most common fusion movements now are those made for candidates for the judiciary. In New York, leaders of the Bar are attempting to establish a rule that a judge who has served a full elective term shall be nominated for re-election by all parties. The major parties have not sought to secure all of the seats of the Court of Appeals, and, as recently as 1926, both the Democrats and Republicans nominated the same two for the vacancies on the bench, one from each party.

In Cook county, Illinois, in 1917, when the Socialist party was demonstrating strength among German and other elements opposed to the entrance of this country into the World War fourteen vacancies on the circuit bench were to be filled. The Democrats nominated seven, and the Republicans seven, against the full ticket of the Socialists, and both of the major parties worked for the success of this coalition. Again, in 1921, in Cook county, the Democrats placed the names of ten Republicans on their judicial ticket and elected it with the support of factions opposed to the Thompson element which dictated the regular Republican nominations. A candidate undoubtedly has an additional advantage if his name appears on more than one ticket, and sometimes may poll enough additional votes on a minor party ticket to win the election.

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⁸ Edward Stanwood, "A History of the Presidency," rev. ed., (1924), vol. i, pp. 340-349.

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Questions

1. Define party.
2. Must a party have a formal organization such as the existence of a committee system?
3. Must the candidates of the party be actually enrolled or affiliated members of that party?
4. Differentiate between party principles and party policies.
5. New York State requires the Anti-Saloon League to file statements of its receipts and expenditures the same as the Democratic and Republican parties. Does that make the Anti-Saloon League a political party?
6. What would the National Woman's party have to do to become a political party?
7. Is the National Municipal League a political party?
8. Would the Proportional Representation League become a political party if it endorsed for the legislature in Pennsylvania, the candidacy of an independent candidate, who pledged himself to introduce a bill to provide for proportional representation in all city councils?
9. What is the significance of a party name?
10. How is the membership of a party attracted to it?
11. What is a party emblem?
12. What is a faction?
13. What is a bloc?
14. What is fusion?

CHAPTER II

COLONIAL AND REVOLUTIONARY PARTIES

English parties.—From the settlement of Jamestown to the outbreak of the Revolution, the very large majority of voters in the Colonies were either of English birth or English descent. When it is considered in addition that the Colonies were under British control, it is easily understood why, in a general way, the party divisions corresponded to those in England.

Modern parties arose in England, according to Macaulay, in 1641, when Parliament had under consideration the Grand Remonstrance to Charles I. Previously, after the Tudors gave way to the Stuarts, the Parliamentarians acted as a unit in contending for rights as Englishmen in opposition to the Royal prerogative. When the Long Parliament assembled, the leaders made several reforms. Macaulay says: "But, when in October, 1641, the Parliament reassembled after a short recess, two hostile parties, essentially the same with those which, under different names, have ever since contended, and are still contending for the direction of public affairs, appeared confronting each other. During some years they were designated as 'Cavaliers,' and 'Roundheads.' They were subsequently called 'Whigs' and 'Tories.' One of these represents a party zealous for authority and antiquity, the other was zealous for liberty and progress. Everywhere there is a class of men who cling with fondness to whatever is ancient, and who, even when convinced by overpowering reasons that innovation would be beneficial, consent to it with many misgivings and forebodings. We find also everywhere another class of men, sanguine in hope, bold in speculation, always pressing forward, quick to discern the imperfections of whatever exists, disposed to think lightly of the risks of

change, and disposed to give every change credit for being an improvement."¹

On this difference, Macaulay bases the origin and distinction of the English parties, the Whigs eventually being called "Liberals," and the Tories, "Conservatives."

Early American divisions.—John Adams probably was right when he said, in 1812, that American party divisions began with the first plantation, conflicting opinions and forces arising from human nature, and that in all of the Colonies there always had been a court party as distinguished from a country party.² The court party, taking the part of the governor and the royal officials, naturally acquired the name of Tory. Just as logically, those in opposition who were fighting for the rights of the people came to be called Whigs.

It must not be assumed that all of the divisions of political thought in the Colonies were along the line of the authority of the crown or the rights of the colonists. Many issues arose to divide members of the assemblies which in their nature could not have been expected to have afforded the grounds of permanent division. First of all, there was the religious division. This division might have reflected the contest between the Roman Catholics and the Anglicans for the crown in the days of both the Stuarts and of the Tudors, but often it did not.

The Congregationalists were almost supreme in authority in the New England colonies, and their influence lasted until after the Revolution, when many residents of those states objected to the dominance of that church in politics. Except in the days of the Cromwellian Commonwealth, this could hardly have been a reflection of English church politics. Occasionally, disputes arose because of the ethnic origins of contending factions. Often family rivalries led to a sharp division of local sentiment, and at times this was felt throughout the colony. The population of the Western areas also often caused acute divisions of thought. None of these divisions attained fundamental importance, and after the particular issue was settled a realignment under new or older lines would take place.

¹ Macaulay, "History of England," vol. i.

² "Works," vol. x, p. 23.

The principal struggle that went on in all of the Colonies was that between the governor and the members of the more popular branch of the assembly. This was fundamental. The members of the assembly elected by the voters sought to control the purse strings of the treasury. They fought for, and the governors resisted, the privilege of initiating all money bills, including measures for the levying of revenue and for expenditures. The Royalists or Tories would come to the support of the governor, and the Whigs would be aligned with the members of the assembly. Of such fundamental consequence was this struggle that when the Constitution was adopted, it contained a provision making it necessary for bills raising money to originate in the House of Representatives. Through practice, the principal appropriation bills have originated there, too. Most of the states follow the same procedure.

The Tories for the most part were headed by the ruling class, who were the governors and others sent by royal authority to govern the colonists. They were supported, too, for the most part by those of large landed interests. The Whigs were made up largely of the masses of the common people, the small home owners and the actual tillers of the soil, and the Puritan, Quaker, English, Irish, Scotch, and Scotch Irish Presbyterian immigrants, who came here to attempt to make a living under more favorable and freer economic conditions than Europe afforded.³

Revolutionary divisions.—As the crises arose which led to the Revolution, the people generally were divided into three groups. The first was composed of the Tories or Loyalists, who stood by the authority of the crown. They were for the most part men of culture and wealth, but all of the men of property did not belong in this group, Washington, himself, having the reputation of being the wealthiest man in the Colonies. The next group was composed of those who were indifferent to the issues which were drawing the Colonies from the mother country, of those who had not made up their minds as to the right in the controversy and of those who were waiting to see which side was likely to have the ascendancy before affiliating with either. The third group was com-

³ Lecky, "American Revolution," p. 224.

posed of the Patriots or Whigs, men who were the moving spirits in the events which led to the rupture. When the Revolution came, most of those in the second class affiliated with this group.

As the committees of correspondence and patriotic societies sprang up over the Colonies, they probably were composed in their entirety of Whigs. These organizations even made the nominations of the Whigs to be voted upon for offices. They comprised all of the officers of the Revolutionary army, all of the members of the Continental Congress, and almost all of the local officials. It was in every sense a Whig party that conducted the Revolution, but not the one that was in any way connected with the Whig party which was to arise in the next century largely under the leadership of Henry Clay.

Fate of the Tories.—Many of the Tories enlisted in the British army and saw service against the Colonies until the close of the war. Others remained at home and refused to aid the Patriot cause in any way, but gave every evidence of sympathy that they could to the English troops when they were near them.

With the close of the Revolution, many of the Tories were forced by the state of public opinion to cross over the northern boundary to Halifax and other English settlements, where they formed the United Empire Loyalists. Some of the Tories were able to withstand public sentiment and remained in the states after the conclusion of peace. Because of their wealth, they were in many cases almost indispensable to community prosperity. These Tories, being fundamentally lovers of law and order, deplored the loose government afforded by the Articles of Confederation after the Revolution, and many of them were active in the ranks of the Federalists in supporting the submission and adoption of the Constitution.

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Questions

1. What were the original English parties and what did they represent?
2. What are the present principal English parties?
3. What were the original party divisions in the Colonies?

16 PARTY PRINCIPLES AND PRACTICAL POLITICS

4. Did any other factors except the reflection of English political opinion cause party division in the Colonies?

5. What were the three groups which arose over the questions precipitating the Revolution?

6. What was the political influence of the committees of correspondence and patriotic societies?

7. What became of the Tories?

CHAPTER III

THE PARTY OF THE CONSTITUTION

Weaknesses of the Confederation.—The weaknesses of the Articles of Confederation were obvious during the Revolution. Washington lamented, in 1781, that a mere nominal head was insufficient and contended that Congress should have the right to regulate all matters of general concern. He pointed out the possible prolongation of the war because of the lack of power of Congress to compel the states to furnish men and money.¹ Alexander Hamilton, in 1780, urged a new convention to give Congress additional authority.² Two years later he urged that Congress have the authority to levy taxes and regulate commerce.³ Twice in 1781, committees brought in reports advising changes to enable Congress to enforce the obligations of the states to the general government.⁴ In 1786, the enlargement of the Confederation was urged by a grand committee of Congress, but Congress, because of its impotency to act, did nothing.⁵

Talk of calling a general convention had been discussed widely in 1784, being common talk among members of Congress, but no definite action was taken.⁶ The Massachusetts general court, in 1785, passed resolutions favoring a convention to revise the Confederation, but the delegates from that state refused to lay the resolutions before Congress. They were afraid such a convention would cause the aristocracy

¹ Ford, "Washington's Writings," vol. ix, pp. 135, 175-176.

² Hamilton, "Hamilton's Works," vol. i, pp. 150 et seq.

³ Ibid., vol. ii, p. 201.

⁴ Gilpin, "Madison's Papers," vol. i, pp. 88-90; Bancroft, "History of the Constitution," vol. i, pp., 286-288.

⁵ Ibid., vol. ii, pp. 374-377.

⁶ Gaillard Hunt, "James Madison," p. 108; Hunt, "Writings," vol. ii, pp. 99-100.

to change the form of government.⁷ Jefferson, the idealist, in Paris, believed an occasional rebellion not harmful and thought perhaps the Indians, without government, were in the best condition.⁸

With the war over and the people enjoying the liberties which independence brought to them, it was impossible for the weaknesses which the Confederation had manifested during the time of the Revolution to be the prime motive in effecting a change. The Confederation had proved itself strong enough to win, and interests partly selfish had to exert themselves if a party strong enough to change the form of government were to be created and carry its project to consummation. This party was to be formed from persons who had selfish economic interests and who, in the end, would triumph over somewhat disorganized forces in opposition.

The calling of the Constitutional Convention had its inception in the meeting of delegates from five states at Annapolis, Maryland, in 1786 for the purpose of regulating commerce between the states as a result of earlier attempts of Maryland and Virginia to make rules for the navigation of the Potomac. Hamilton sponsored a report which proposed a convention of delegates from all of the states to meet at Philadelphia in May, 1787. Congress called a convention to meet at the same time and place as that proposed by the Annapolis body for the purpose of revising the Articles and reporting necessary alterations. All of the states but Rhode Island appointed delegates to this convention.

Selfish interests involved.—There were several classes of people who were adversely affected economically by the failure of the Articles of Confederation to provide for a strong government. First among these were the security holders. Most of these security holders were residents of the cities along the coast and the value of their securities was rapidly depreciating because of the weakness of the Government that could not command from the states the amounts necessary to extinguish these obligations. The merchants of the cities had not forgotten the inability of the Government to afford protection to their commerce on the high seas when it fell prey to British depredations during the Revolution. The owners

⁷ King, "Life and Correspondence of Rufus King," vol. i, pp. 63 et seq.

⁸ Ford, "Jefferson's Writings," vol. iv, pp. 362, 370.

of the vessels likewise felt the same apprehension because the Government could afford no adequate naval protection to their investments. Then the fact that paper money forces had secured control of the governments of seven states was playing havoc with lenders of money for interest who ran the risks of having to accept payments of loans they had made at much less than the purchasing value of the money so loaned. These interests, for the most part concentrated in the cities, felt the necessity of a strong government for their protection, as without it, personalty would have been of uncertain and diminishing value.

Opposed to the classes that regarded a stronger central government as essential to their welfare, were the debtors, who had nothing to gain by a government that might restrict their easy mode of existence. The non-slave-holding agrarians, too, holders of realty which would not likely suffer depreciations in value, were indifferent to suggestions for a change which might make it more difficult to borrow money on the security which they had to offer—security which was about the best there was in the states. Particularly was this true of the smaller landholders.

Personnel of Convention.—In all of the states the delegates to the Convention were elected by the legislatures. The legislatures were composed largely of men with the financial point of view. In all of the states suffrage was restricted to property holders alone, or to property holders with tax payers in addition.⁹ Special safeguards for property were provided in the qualifications for members of the legislatures of New Hampshire, Massachusetts, New York, New Jersey, Maryland, North Carolina, South Carolina, and Georgia. Further safeguards were added to the qualifications for senators in New Hampshire, Massachusetts, New Jersey, New York, Maryland, North Carolina, and South Carolina. Under these circumstances, realty or agrarian interests might have secured the large majority of delegates to the convention, but the interests of personalty from the cities were organized sufficiently to secure the election of a large majority favorable to them.¹⁰

⁹ For suffrage qualifications, see pp. 150-157.

¹⁰ Charles A. Beard, "An Economic Interpretation of the Constitution," (1925), pp. 71 et seq.

Professor Beard has shown in the survey he made of the delegates how predominant the interests of this personalty class were in the Convention. A majority of the members were lawyers. Most of them were from the towns and cities along or near the coast where the interests of personalty were the greatest. None represented personally the small farmer or mechanic classes. At least five-sixths of the members had personal financial interests in the outcome of their labors. At least forty of the fifty-five members owned public securities which a stronger government probably would increase in value. At least fourteen invested money in lands for speculation. At least twenty-four loaned money at interest. Eleven, at least, had investments in mercantile, manufacturing, and shipping lines. At least fifteen had considerable money invested in slaves.¹¹

Parties in the Convention.—Distinctly, then, there was a party of the Constitution composed of men who felt the necessity of a stronger government and who, through their own investments, honestly, no doubt, represented a point of view the interests of which the adoption of a constitution would serve. As distinguished from this party of the Constitution, there were parties in the Convention, which, according to present terms, might be more properly designated as factions or parts of the larger party of the Constitution. However, this is not entirely true, since few of the members of that body refused to sign the instrument which it presented. Nevertheless, in the Convention there was a division of parties based upon the line of demarcation between the large and the small states and another division based upon differences between the Northern and Southern states.

When the Convention in its early days adopted, by the votes of the large states, Randolph's resolutions providing for a strong national government, the extreme nationalists like Hamilton acquiesced and the compromise relating to representation was made. The larger states wanted representation in Congress in accordance with population. They resented the idea that the small states might, by equal representation, which they had enjoyed under the Articles, have as much authority in levying taxes and other legislation as

¹¹ Ibid., pp. 73-151.

their larger neighbors. The small states feared that if they did not have equal representation they would be at the mercy of the larger ones and always at a disadvantage. The compromise which was effected, and which was necessary if there was to be eventual ratification, provided that the states should have equal representation in the Senate and should not be deprived of the same without their consent. It also was agreed that in the House the representation should be according to population.

The division between the Northern and Southern states was based also upon the question of slavery. The four southernmost states, Virginia, North Carolina, South Carolina, and Georgia, had large slave populations which would greatly swell the representation to which those states would be entitled in the House. This was objectionable to the delegates from the Northern states, and finally James Wilson of Pennsylvania suggested that slaves should be counted in representation to the extent of three-fifths of their number. When the question of including slaves in levying direct taxes arose, the Southern states voiced opposition because they were considered as chattels. The Northern states maintained that as persons, they should be counted the same as the whites. In compromise, it was agreed that, as in representation, slaves should be counted to the extent of three-fifths of their number. Some of the delegates from the Northern states were in favor of prohibiting further importation of slaves to which the slaveholding states objected. The compromise agreed upon gave Congress no power to prohibit such importations prior to 1808, granting, in the meantime, Congressional authority to levy a head tax of ten dollars for each negro so imported. The other differences between the Northern and Southern states related to navigation and to an export tariff. The ship-building interests of the North wanted Congress to be empowered to enact a navigation act. They sent scores of security holders to the conventions. The Southern states feared that such a navigation act would be to their detriment and asked that Congress be given that authority only by a two-thirds vote. Under such circumstances the Southern senators and representatives could have vetoed an unfavorable navigation bill. The Southern states finally gave in and accepted the authority of Congress to pass navigation acts by a ma-

majority vote, but secured the protection against the right of Congress to levy export duties. Such authority naturally was feared by the rice and indigo growers of Georgia and South Carolina and other Southern planters.

These compromises thus settled the principal points at issue between the parties of the Convention and all who remained through the sessions, except the extremists, who feared the creation of a strong national government, signed the document and it was submitted to the state conventions for ratification. The slavery question as an issue between parties was not to come to the front again for about half a century, and the other points involved in the compromises have ever since been considered as fundamentally secure by the major parties. The Socialists, however, have urged the abolition of the Senate.

Ratification.—When Congress submitted the Constitution to the states for reference to conventions, as suggested by the Convention, there were several elements to be overcome by the forces of the party of the Constitution. There were those who opposed any extension of national authority. There were others who cherished their liberty, feeling they had won it and not caring to run the risk of yielding it to a new government. Some feared possible sectional domination. Many did not want to see the Federal Government given the authority to make effective treaties which might result, they feared, in the closing of the Mississippi. Many inland residents saw no need of a general government with broad powers to regulate trade and assess taxes. Last, but not least, were the paper-money advocates and the discontented needy who looked in fear at Constitutional prohibitions of bills of credit and laws impairing the obligations of contracts. The members of the party of the Constitution called themselves Federalists in order to indicate that they were for union and a federal government. Those in opposition were termed Anti-Federalists. The Federalists sent scores of security holders to the state conventions.

Fortunately for the Federalists, they were well organized from the beginning. Having been instrumental in calling the Convention, they were largely in the majority in that body.

They kept their fellow Federalists living in the cities advised of the work of the Convention, and so when it came time for

the Constitution to be submitted to the conventions, they were alert and organized and ready to carry the battle forward. They had the organization which always is more likely to arise when personal interests are involved and it was a matter of economic stability and prosperity with them.

The campaign technique of the Federalists was superb. While the people of the smaller states were rejoicing over the equal representation to which they would be entitled in the Senate, they pushed ratification through Connecticut, New Jersey, Georgia, and Delaware, allowing only four or five weeks to elapse before the legislatures acted, about the same time for calling the elections for the conventions, and about an equal period until the conventions met. In New Hampshire, New York, and Massachusetts, opponents were converted in the conventions, sometimes even despite adverse instructions. In Virginia, the division among both the voters and delegates to the convention was close. Deliberations and delays helped in Maryland and South Carolina. All possible speed was made in Pennsylvania where haste was advantageous. Rhode Island and North Carolina did not ratify until after the government created was in operation. Undoubtedly one of the greatest assets to the Federalists was that the masses were disfranchised because of property qualifications, just as they were in the other elections at the time. The Federalists were backed by the wealth of the country, and they expended money freely for pamphleteering, organizing parades and demonstrations, and engaging the interest of the press. The series of articles contained in "The Federalist", prepared by Hamilton, Madison, and Jay, stated the arguments of the advocates of ratification, but probably these papers were read by but a comparatively few and had but little influence on the result. Then the opposition suffered because of the difficulty of getting out the backwoods vote to the town and county elections.¹²

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¹² Ibid., pp. 217-325.

24 PARTY PRINCIPLES AND PRACTICAL POLITICS

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Questions

1. Why did many patriotic people who saw the weaknesses of the Articles of Confederation during the Revolution appear indifferent to a change?
2. What was the influence of the Annapolis convention in calling the Constitutional Convention?
3. What persons had suffered financially because of the failure of the Articles to provide a strong government?
4. How were the delegates to the Constitutional Convention chosen?
5. In what respects were the real property interests protected in the choice of delegates?
6. Did these real property holders take advantage of their positions?
7. What is meant by the statement: "There was a party of the Convention?"
8. What were the parties in the Convention?
9. What were the principal compromises of the Constitution?
10. What elements were to be overcome before the Constitution could be adopted by the states?
11. What advantages did the Federalists have in waging the fight for ratification?
12. What was the campaign technique of the Federalists?
13. Were the Anti-Federalists in a favorable position?

CHAPTER IV

RULE OF THE FEDERALISTS

Basis of issues.—American parties, as they have developed since the Revolution, have often taken such issues as changing economic conditions of a fundamental nature have demanded. At other times they have been forced to adopt such issues as a strong leadership has pressed upon them, and again they have taken the side that has seemed the politically expedient and practical attitude. These tendencies are illustrated by the following historical discussion of issues.

Nucleus of Anti-Federalists.—The Anti-Federalists can hardly be said to have carried their fight against the Constitution into the first Presidential election. North Carolina and Rhode Island had not ratified the Constitution and did not participate in the choice of electors. The New York legislature was in a deadlock over the method of the choice of electors and did not participate. Washington received the unanimous vote of all for the Presidency. John Adams was selected by general consent as candidate for the Presidency with the idea of being Vice President, because he was the most available of the New England leaders. The fact that his vote was not unanimous was due largely to Hamilton's influence to prevent a tie and the desire of a few of the states to honor favorite sons. George Clinton received three electoral votes from Virginia and it is quite possible that these were cast by Anti-Federalists who approved of his opposition to the Constitution. Had New York participated, any Anti-Federalist electors there would have voted for Clinton and then Adams or some one else in preference to Washington.

Nevertheless, with the establishment of the Government under the Constitution, the Anti-Federalist members of the Convention with their fellow partisans were to form a nucleus of opposition to the policies of the Washington Administra-

tion dictated largely by Hamilton. Professor Beard has divided the members of the Philadelphia Convention into seven groups with relation to their later political activities:

"1. Members who died before the Federalist-Republican schism was clearly developed: Brearley, Franklin, Houston of New Jersey, Jenifer, Livingston and Pierce—6.

"2. Advocates of the Constitution who remained loyal Federalists until the end: Bassett, Bedford, Blair, Clymer, Davie, Dayton, Ellsworth, Fitzsimons, Gorham, Hamilton, Ingersoll, Johnson, King, McHenry, Mifflin, Gouverneur Morris, Robert Morris, C. C. Pinckney, Read, Rutledge, Sherman, Strong, Washington and Wilson—25.

"3. Advocates of the Constitution who went into the opposition early in Washington's administration: Baldwin, Few, Gilman, Madison and Wythe—5.

"4. Advocates of the Constitution who joined the opposition after the fiscal measures contemplated by the Constitution were firmly established: Butler, Dickinson, Langdon, A. Martin, Charles Pinckney, Randolph, Spaight—7.

"5. Advocates of the Constitution unclassified: Blount, Broom, Carroll, Houston, of Georgia, McClurg, and Williamson—6.

"6. Opponents of the Constitution who became Republicans: Gerry, Lansing, L. Martin, Mason, Mercer, and Yates—6.

"7. Opponents of the Constitution who became Federalists—0."¹

While Gerry, himself a large security holder, voted for Hamilton's fiscal measures, it is significant that not one of the opponents of the Constitution in the Convention went over to the Federalists. They remained with the opposition to Federalism to the end of their political careers.

Likewise, in the states, the opponents of the Constitution for the most part opposed the Federalist party from the beginning. In the first Congressional election, Patrick Henry ran James Monroe, Anti-Federalist, as candidate against James Madison. Henry later joined the Federalists, but only after he had acquired wealth and the property viewpoint. In all of the states, with the possible exception of Georgia, the

¹ Charles A. Beard, "Economic Origins of Jeffersonian Democracy," (1915), pp. 73-74.

Anti-Federalists had candidates for the first Congress. In New York, George Clinton, Aaron Burr, Osgood, and Brockholst Livingston were active in the Anti-Federalist camp from the beginning and later had themselves elected to the legislature in order to choose Jeffersonian Presidential electors. Gerry was elected to the first Congress as an Anti-Federalist, although he made definite promises to support the Government. Samuel Adams, who at first opposed the Constitution and then supported it only because of the promised amendments, ran for the first Congress in the Boston district and was defeated by Fisher Ames, Federalist.²

That Thomas Jefferson had no thought of asserting leadership against the Federalists when he arrived in Virginia in 1789, preparatory to becoming Secretary of State, is evidenced by his statement: "I am not of the party of the Federalists but I am much farther from that of the Anti-Federalists. If I could not go to Heaven but with a party, I would not go there at all."³

With the adoption of the Constitution settled, it was obviously consistent for the Anti-Federalists to oppose any large exercise of Federal powers as a result of its provisions. Likewise, it was easy for a group to arise to challenge the extent to which these Federal powers could be used. Yet when the first Congress met, there was little thought of future parties or factions, and James Madison became House leader with the idea of initiating the machinery to carry the Government into effective operation.

Hamilton injects issues.—The issues which were to divide the Federalists and their future opponents were to be precipitated by Hamilton, the governmental genius whom Washington had made Secretary of the Treasury. In his "Report on the Public Credit" which was read in Congress on January 14, 1790, Hamilton recommended the funding of the continental debt and the assumption of the state debts. The debt then was composed of \$11,710,378 due to foreigners, \$42,424,085 to domestic creditors, and a floating debt of \$2,000,000. This, Hamilton desired to pay at par, with interest, over a long period of years. The original holders of the certificates largely were Revolutionary soldiers, small farmers,

² "Connecticut Courant," Aug. 18, 1800.

³ Jefferson to Hopkins, March 13, 1780, in Ford, "Works," vol. v, p. 456.

and hard-pressed country storekeepers. They had parted with their certificates at much below par, sometimes at only 25 per cent of their par value. When Hamilton's plan was first announced before Congress, many of these certificates were purchased from holders ignorant of the plan Congress was about to inaugurate. Hamilton believed in a government supported by the commercial interests. By his plan, he brought to the support of the Government a class disappointed because he had failed to obtain property qualification suffrage restrictions at the Constitutional Convention. Hamilton's plan met with the approval of the business interests and the aristocratic Cincinnati society.⁴ Madison at first did not announce himself in opposition, but the party lines soon began to develop. Two militant democrats, Senator William Maclay of Pennsylvania and Representative James Jackson of Georgia, voiced great opposition to the scheme. They saw in it the taxation of the poor for the advantage of the security holders. Finally, Madison made an alternative proposal that the present holders be given the amounts they had paid for the securities and that the rest up to par be given to the original holders of the debt. Madison's plan was submitted as an amendment in the House and lost, which was to be expected when twenty-nine of its sixty-four members were security holders. Nevertheless, Maclay, Jackson, and Madison had spoken the language of the backwoods. It then passed both House and Senate. Jefferson did not arrive to assume the duties of Secretary of State until after the funding bill had passed.⁵

The next part of the Hamiltonian program was the assumption of the state debts. Some of the states had paid much of their debts and opposed the plan. Madison became the leader of this group. The states which had not discharged their obligations were in favor of it. Madison now argued that the Constitution gave no power to Congress to assume the state debts. The proposition was voted upon in the House and lost by two votes. The business element seemed to lose interest in the new government, but Hamilton was equal to the emergency. When Jefferson arrived in New York to take his place in the Cabinet, Hamilton saw him and asked

⁴ Henry C. Lodge, "Works," pp. 90-91.

⁵ "Notes on Virginia," in "Works," op. cit., vol. viii, p. 404.

him if he could deliver enough votes for assumption of state debts if he in return furnished votes for locating the capital on the Potomac. The trade was made, and Madison felt the futility of opposition. Assumption passed both houses and increased the obligations, \$18,271,786.⁶ Jefferson's later attempts to excuse his advocacy of assumption by the claim that Hamilton deceived him is unreasonable, as he had been in frequent correspondence with Madison and had the benefit of his views on the subject.

Congress, at Hamilton's suggestion, established a sinking fund to pay the debt. Hamilton did not consider a national debt a bad thing. It brought the commercial interests into closer sympathy with the government.

Hamilton recommended on December 13, 1790, the levying of an excise tax on liquor. This was necessary for assumption. Maclay and Jackson again were in opposition. Representative William B. Giles of Virginia, one of the early Jeffersonian leaders, first approved and then led the fight against the measure, but it passed and the whiskey distillers of western Pennsylvania and the liquor consumers of the South were in opposition to the Hamiltonian policy. Jefferson and Madison accepted the excise as a necessity and without enthusiasm. Henceforth Jefferson was to be the leader against the pretentious program of his Cabinet colleague, and Madison was to be his chief lieutenant.

A National bank was recommended by the Secretary of the Treasury on December 13, 1790. Maclay felt that opposition to it in the Senate would be of no avail, but Madison mustered twenty votes against it in the House, all but one of which were from the South. Madison recognized no right that Congress had under "implied powers" to charter such an institution. The commercial interests of the East demanded it. The people of the South and West thought it was a monopoly and wanted none of it. Washington asked Jefferson and Attorney-General Randolph for their opinions, which confirmed Madison's. He conferred with Madison several times. Washington signed the charter. Leaders of the fight in Congress became members of the bank's first board of directors.

⁶ "Annals of Congress," (1789), pp. 112-114.

The last of Hamilton's reports was the one submitted on December 5, 1791, which argued for the protection of manufactures. While protection is a cardinal point of the Republican party, to-day, and that organization is looked upon as expressing Hamiltonian thought as did the Federalists in the early days of the Republic, yet it had no immediate influence on the legislation of the period. Jefferson, in 1787, had written of the advantages of a simple agricultural state.⁷ Madison had believed in free intercourse in 1789; yet in 1793, Jefferson advocated, and Madison presented, a set of resolutions for protection against England. Likewise, Fisher Ames who had urged protection in 1789, changed in 1794 when his political views led him to oppose Madison's resolutions.⁸ The Congress of the Confederation had framed a plan for a general 5 per cent duty with specific duties on articles like tea, coffee, and sugar. Madison presented this scheme anew in 1789 but because of the opposition of Massachusetts and Pennsylvania and resentment against Great Britain, the duty was raised on certain luxuries to as high as 15 per cent. The intent to protect was in the bill.⁹ There was no further appreciable development of the protective policy for twenty years.

Organized party opposition.—Hamilton's policies were synonymous with a strong nationalism and a highly centralized government not suspected possible by many members of the state conventions when the Constitution was ratified. He had with him the larger commercial interests of the cities. The chambers of commerce and their members were his leading supporters. These business interests retained the best lawyers. They, therefore, were on the Hamiltonian side. Hamilton distrusted the ability of the masses to govern, and it probably never occurred to him as he inaugurated his policies that they ever would be in the ascendancy. In the meantime, Jefferson began to organize his followers. As many of them had not been Anti-Federalists, they preferred to be called Republicans. Because of the democratic societies formed in

⁷ See Jefferson's "Report on Commerce," in "Works," op. cit., vol. vii, p. 637; and Madison's Resolutions of 1794 based on Jefferson's Report, "Annals of Congress," (1794), pp. 155, 209.

⁸ "Annals of Congress," (1789), p. 221; (1794), p. 342.

⁹ Frank W. Taussig, "The Tariff History of the United States," rev. ed., (1923), pp. 14-15.

this country in sympathy with the efforts of the French Revolutionists, many Federalists called them Democrats. In a few states this became the party name. Historians, generally, have attempted to identify the party more particularly by calling it Democratic-Republican, which was the official name in Maryland and New York. Jefferson knew he had no chance with the larger commercial interests, and so he sought to cultivate the backwoodsman and the farmer. He was not without competent leadership in some of the states, but wealth, social position, and education were with the Federalists; yet, no man in American public life ever appreciated more fully the benefit of an issue and then had the necessary ability to organize the masses in its favor, than Jefferson.

Washington was inclined to retire from the Presidency at the end of his first term. Hamilton, who feared the unpopularity of John Adams outside of New England, to say nothing of his independence, realized that the principles of Federalism were more certain of continued recognition if Washington remained in office, and urged him to serve a second time. The Republicans had no desire to see Washington supplanted and Jefferson, too, asked him to accept a second term. Washington accepted and was re-elected unanimously in 1793. The Republicans, however, did not feel that Adams was so indispensable, and their Presidential electors voted for Governor George Clinton, a former Anti-Federalist who was one of the principal Jeffersonian lieutenants in New York. Jefferson was able to get the electoral vote of his home state, Virginia, for Clinton, who also carried New York, North Carolina, and Georgia, and received one vote in Pennsylvania, but Adams had a majority of 27 in the electoral college.

Influence of French Revolution.—The field of international affairs was to furnish additional issues to divide the Federalists and Republicans. The French Revolutionists beheaded King Louis XVI, January 21, 1793. England and Holland, alarmed at the outrages of the Revolution, were involved in a war against France, and the Federalists in this country were shocked. Jefferson had been minister to France prior to returning to this country to take up his duties in Washington's Cabinet. He knew many of the Revolutionary leaders, and his sympathies were with them. Hamilton distrusted the fruits of a revolution against a stable government,

and he was supported by the Federalists, many of whom were losing in commerce with England as a result of the European war. The Republicans took up the cause of Revolutionary France. They denounced Washington's neutrality proclamation. Jefferson realized that with his sympathies elsewhere, he should resign from the Cabinet, which he did at the close of the year. Edmund Randolph, a Republican, who had been Attorney-General, was given the position but within a year he was succeeded by Timothy Pickering, a Federalist. While it had been hoped that Washington's re-election would put an end to parties, just the other result was attained. When Randolph left the Cabinet, substantially no more appointments of others than Federalists were made by Washington. His Cabinet was composed entirely of Federalists, and he recognized the supporters of his administration from this party in making minor appointments. Party government, considered undesirable by the framers of the Constitution, was upon the American people to stay.

Edmond C. "Citizen" Genet arrived in this country on April 8, 1793, as minister from France. He immediately set about enlisting American citizens for service against Great Britain and fitting out and commissioning vessels against the enemies of France. He received ovations as he moved from Charleston to Philadelphia and appealed to Congress over Washington's interpretation of the Treaty of Alliance with France. Congress followed principally the views of Jefferson as to the interpretation of this treaty, as against the wishes of Hamilton. He openly defied the Government. This somewhat turned public thought in favor of England, but soon again the Republicans and the Democratic societies were advocating the cause of France. From 1793 to 1800, officials of the French Government did all they could to aid the Republicans against the Federalists.

In 1794, the Republicans began to demand a war against England. France, at the beginning of the European conflict, had opened to the world the trade with her West Indian possessions. She expected they would sell their produce chiefly to the United States and receive American merchandise in return. England asserted this illegal since it was not open in time of peace, and backed her contention by seizing American ships engaged in this trade and imprisoning the crews,

treating them with unusual rigor. Madison, in the House, then suggested that we restrict our trade with England and drew resolutions to accomplish this object. The Federalists, reflecting the views of the commercial interests, were alarmed. Most of our trade was with England and our injuries would be greater than England's under such a policy. The resolutions were deferred; then England ordered the seizure of neutral ships carrying French goods. This aroused the Republicans to renewed talk of war and Congress authorized fortifications, the enlistment of artillerymen, and the levying of 80,000 militiamen for an emergency. Representative Dayton, Republican, New Jersey, sought by resolution to sequester British debts. This conduct on the part of England caused some of the commercial interests to look with favor upon the Republicans who were continually proclaiming their hostility to that country. At the same time it enabled Jefferson to attract to the ranks of his party an element of the Southern planters.

The country would have been justified in a declaration of war against England. But because of the weakness of the new government, such a war might have been fatal to its existence. Washington commissioned John Jay, Federalist Chief Justice, to go to England and negotiate a treaty. Jay was unable to secure from England a renunciation of her practice of impressment of American seamen. He yielded the contention that payment should be made for the slaves carried off by British troops from Virginia and the Carolinas during the Revolution. He permitted a provision that the British troops stationed at military posts in the Northwest should have eighteen months to withdraw. Food might be considered contraband. A board was to determine the amount of debts owed by Americans to the British when the war broke out. American trade rights with the West Indies were restricted and American merchantmen could not enter the harbors or rivers of Nova Scotia, New Brunswick, Canada, and the Hudson Bay region. The Senate ratified the treaty, 20 to 10. The House, which, under the leadership of James Madison and Albert Gallatin refused to appropriate money to carry out the provisions, by a majority of six, changed and made the appropriation by a majority of three after listening to a speech by Fisher Ames. The Republicans denounced the

treaty all over the country. The Virginia slave owners in the back regions saw that they might have to pay their debts to the British merchants and at the same time not be compensated for the slaves stolen. They cast their lot with Jefferson. Hamilton began on July 22, 1795, a series of papers under the pen name of "Camillus" in support of the treaty and on the same day the New York chamber of commerce endorsed its terms despite the opposition of a minority. The Boston chamber of commerce also endorsed its terms. The treaty caused as much anger in France as it did in this country, particularly the provision declaring that food might be considered contraband. France declared that her treaty with the United States was at an end and James Monroe, partisan of Jefferson, whose conduct as minister to France did not meet with Washington's approval, was recalled. Charles C. Pinckney was sent to Paris as Monroe's successor, but the French Government refused to receive him, for he was a Federalist.

An incident that was to strengthen the authority of the Federal Government was the "whiskey rebellion" in western Pennsylvania. In August, 1794, an armed convention, composed largely of Irish immigrants who had evaded payment of duties on whiskey at home and hoped to continue in the practice here, met on Braddock's Field to protest the excise tax enacted by the Federalists. The secretary of the meeting was none other than Gallatin, later to be head of the Treasury Department. These people were encouraged in their opposition to the tax by Republican leaders and it was only by the presence of troops that the authority of the Government was vindicated.

Adams elected President.—Hamilton retired as Secretary of the Treasury in June, 1795, in complete harmony with Washington's administration and desirous of perpetuating Federalist control. Washington's decision to decline a third term made inevitable a close contest between Federalists and Jefferson's rapidly growing Republican party. An alleged stain on Hamilton's private character made it inadvisable for him to be a Presidential candidate. Adams, as Vice President, had cast the deciding vote several times on party measures and had a large following. His party followers determined to vote for him and for Thomas Pinckney of South Carolina. Jefferson was the recognized leader of his party, and Aaron

Burr was agreed upon as the Republican candidate with him. The campaign waged with many unwarranted attacks upon Jefferson and Adams. "Phocion" wrote a series of public letters urging Adams' election; while "A Federalist" who was not one in views, led in the literature which advocated Jefferson's choice. Hamilton urged that the electors from New England divide their votes equally between Adams and Pinckney. Had this been done, with South Carolina voting for Pinckney and Jefferson, Adams would have been defeated for the Presidency and would have been re-elected Vice President; while Pinckney would have become President. Many years afterwards descendants of Hamilton and Adams argued with each other to place upon the ancestor of the other, the blame for the Federalist misfortune that year, as undoubtedly the Federalists had the votes to elect both their candidates. Adams received 71 votes, one more than a majority and became President; Jefferson was next with 68, becoming Vice President; Pinckney had 59 and Burr 30, with a scattering vote to others.

Adams' system of political science, as contained in "The Right Constitution of a Commonwealth Examined," has been summed up as follows:

"1. Society is divided into contending classes, of which the most important and striking are the gentlemen and common people, or to speak in economic terms, the rich and the poor.

"2. The passion for the acquisition of property or the augmentation of already-acquired property is so great as to override considerations arising out of religious or moral sentiments.

"3. Inevitably the rich will labor to increase their riches at the expense of the poor, and if unchecked, will probably, on account of their superior ingenuity and wisdom, absorb nearly all the wealth of the country.

"4. Out of the contest for economic goods arise the great political contests in society, particularly between the rich and the poor. Such contests have ended for the most part in the poor committing themselves to an absolute monarch to secure protection against the predatory rich.

"5. The other possible outcome of the contest is the spoliation of the rich by the poor, and this is what happens

in a simple democracy where the majority, unchecked by other than moral considerations, is permitted to rule.

"6. Liberty, that is, the preservation of the right of the poor against further spoliation and the rich against the attacks by communistic levelers, depends entirely upon the maintenance of order and the *status quo*.

"7. Moral and religious considerations or mere theoretical notions about freedom, however widely entertained, are not sufficient to maintain liberty against the assaults of the contending factions.

"8. Therefore, the Constitution must embody in it a representation of the rich and poor as distinct orders; and a *tertium quid* in the form of an independent executive holding office for as long a term as possible should be introduced as a check on both the contending classes. Finally, an independent judiciary should be established as a check on all the other branches and subject to removal only by the coöperation of the representatives of the two contending classes, from whose ambitions dangerous attacks on liberty and property may be expected."¹⁰

Hamilton did not regard the rich as a danger to the state. In that respect his fundamental political and economic ideals differed from those of Adams. Adams' grouping of the poor, urbane, and agrarian into one class with an inclination to despoil the rich, was not very complimentary to the masses and may have helped to turn the laboring classes against the Federalist party.¹¹

John Taylor of Caroline, who served as a Republican in both House and Senate from Virginia, stated the politics of agrarianism which supported his party in "An Inquiry Into the Principles and Policy of the Government of the United States." Professor Beard summarizes his theories as follows:

"1. The masses have always been exploited by ruling classes, royal, ecclesiastical, or feudal, which have been genuine economic castes sustaining their power by psychological devices such as 'loyalty to the throne and altar'.

"2. Within recent times a new class, capitalistic in character, has sprung up, based on exploitation through inflated

¹⁰ Beard, *op. cit.*, pp. 268-296.

¹¹ A. D. Morse, "The Politics of John Adams," in *American Historical Review*, vol. iv, 1899, p. 292; C. M. Walsh, "The Political Science of John Adams,"

public paper, bank stock, and a protective tariff, likewise with its psychological devices, 'public faith, national integrity, and sacred credit'.

"3. In the United States, this class was built up by Hamilton's fiscal system, the bank, and protective tariff, all of which are schemes designed to filch wealth from productive labor, particularly labor upon the land.

"4. Thus was created a fundamental conflict between the capitalistic and agrarian interests which was the origin of parties in the United States.

"5. Having no political principles, capitalism could fraternize with any party that promised protection, and in fact after the victory of the Republicans successfully intrenched itself in power under the new cover.

"6. The only remedy is to follow the confiscatory examples of other classes and destroy special privileges without compensation."¹²

During the whole of John Adams' administration, the Federalists had a substantial majority in both houses of Congress. This was a misfortune to his party, as the conflicting claims of leadership by Hamilton and Adams brought the party to defeat at the close of his term, and it never won another national victory. Adams kept the Cabinet of Washington in office. They were reliable Federalists, but all men who were accustomed to taking orders from Hamilton as leader of the party, a habit which they were not disposed to break when Washington relinquished office. Adams had the handicap during the greater part, and critical years, of his term of having as principal advisers men who were disloyal to him and sought the suggestions of his contender for party leadership.

Legislation under Adams.—The party divisions in the Adams administration were along the lines of both domestic and foreign policy, as they had been under his predecessor. Four important measures stand out as the principal causes of party controversy. A Federal law of 1795 had provided five years residence as a prerequisite for naturalization. The Irish Catholic immigrants were aligning themselves with the Republicans in western Pennsylvania and elsewhere, and this was the occasion of considerable alarm to many of the Fed-

¹² Beard, *op. cit.*, pp. 322-352.

eralists who objected to both their religion and their illiteracy. When the act of 1795 was under consideration in the House, and these Catholics were attacked in the debate, Madison replied that "there is nothing in their religion inconsistent with the purest republicanism." Then, when the Jeffersonians offered an amendment making it necessary for foreigners to renounce their titles before receiving citizenship, the Federalists as a unit opposed it, giving the impression to the "mob" that they were monarchical.¹³ In 1798, an act was passed requiring fourteen years' residence with a prerequisite of a period of five years following the declaration of intentions, before naturalization. This was aimed particularly at the Irish, and when the Republicans reverted to the five-year requirement in 1802, this element manifested its appreciation by continuing its alignment with the party.

The second law passed the same year was one concerning aliens in time of peace. Under its terms, the President was authorized to order from the country any alien whom he regarded as dangerous to its welfare. If not obeyed, the President could order such person imprisoned for three years. The President also could inflict imprisonment at will upon any person who, so ordered away, returned. This law was to continue in effect for two years. A companion law was passed for aliens in time of war, which was limited to the duration of a war. The President would have the right to define by proclamation the classes of aliens allowed to remain, and the Federal courts were to assist in its enforcement. Many Frenchmen, unsympathetic with the foreign policies of the Federalist party, left the country when the law was about to pass.

The fourth act of the series, probably the most absurd of them all, dealt with the American citizens who denounced the administration or upheld France, and was to expire in 1801. It provided for punishment by fine or imprisonment of persons convicted of combining or conspiring together to oppose any measures of the Government directed by proper authority, or impede the operation of any law of the United States, or to intimidate or to prevent any officer under the Government from performing his duty; and secondly, for the punishment

¹³ "Annals of Congress," Jan. 1, 1794.

by fine or imprisonment of any person who should write, print, utter, or publish, or aid therein, any false, scandalous, or malicious writing against the Government, Congress, or President of the United States, with intent to defame them, or to bring them into disrepute, or to stir up sedition, or to excite unlawful combinations for opposing or resisting laws of the United States, or any act of the President done in accordance with those laws. While these offences were already punishable at common law in the states, the enactment by Congress of the act demonstrated Federal distrust of the masses. Ten persons were brought to trial for violation of the sedition act, and all were convicted.

The alien and sedition laws were approved by Federalists generally, but they were an anathema in the hands of the Republicans who made the most of creating political capital from their enactment. They gave rise to the Virginia and Kentucky resolutions. The former were drafted by Madison and were more moderate in tone than those of the latter, written by Jefferson. These resolutions enunciated the right of any state to declare null and void within its own limits any act of Congress which it deemed unconstitutional. While the resolutions were sent to the other states, they refused to pass similar ones, and the Federalist legislatures of Delaware, Maryland, Pennsylvania, New Jersey, New York, Vermont, New Hampshire, Massachusetts, and Connecticut denounced the doctrine. The resolutions seemed, however, to render more unpopular these laws, and made the Republicans stronger with the masses.

Diplomatic difficulties.—When Charles C. Pinckney succeeded Monroe as minister at Paris, he was informed that until French grievances were settled, he could not be received. He left France in February, 1797, after being informed that he was liable to arrest under a French law forbidding foreigners to remain without permission, and returned to this country. This incident caused clamor for war among extreme Federalists. Adams then determined to send Pinckney again, accompanied by John Marshall and also by Elbridge Gerry, when Francis Dana declined. Gerry had voted for Adams for personal reasons, but his appointment was highly gratifying to Jefferson. Adams thought his presence on the Commission would conciliate the Directory. Work on six frigates

was ordered continued, fortifications were strengthened, and the President was authorized by Congress to call out 80,000 militia. France now proceeded to seize provisions on the way to English ports under the old English contention that they were contraband. This was a hardship on our commercial classes. Adams, fearing an act of reprisal by some American shipowner, ordered our ships to go unarmed. It was in October, 1797, that the American commissioners arrived in Paris and sought to see Talleyrand, the head of foreign affairs. Agents to whom reference was made in the reports as "X, Y, and Z," who offered to expedite their progress toward seeing the ministry for \$250,000, visited the commissioners. This the commissioners refused to do in a dignified way, and sent a statement of American claims to Talleyrand who waited two months before answering it. He then accused the United States of prolonging the misunderstanding for their own benefit, expressed displeasure that three Republicans had not been sent, and indicated that he would treat with Gerry alone. The commissioners replied, and prepared to leave when Gerry was invited by Talleyrand to remain to continue negotiations. This Gerry did. Later Adams summoned him home. On April 3, 1798, the "X, Y, Z papers," giving the correspondence, were sent to Congress. Then the moderate Federalists, including Hamilton, joined the clamor for war. A Navy Department was created, the navy was authorized to take French ships interfering with our commerce, the treaties of 1778 were repealed, and an army of 10,000 for three years service was authorized. Washington was made commander-in-chief of the army, and Hamilton desired to serve under him with the next highest rank. Through the assistance of his friends in Adams' Cabinet, his name was sent to the Senate ahead of those of Charles C. Pinckney and Knox, who also received commissions. Hamilton wanted war, but Adams upon reflection doubted the necessity of it. In October, 1799, Adams wrote Secretary of State Pickering to ascertain the views of the Cabinet on the necessity of war, and to find out, if war was not necessary, whether a new envoy could be sent upon assurance that he would be received. When Adams arrived at the capital, Pickering, Secretary of War McHenry, and Secretary of the Treasury Wolcott had prepared, with the assistance of Hamilton

and Pinckney, a paragraph to be included in his message to Congress. This paragraph would have put the initiative up to France in seeking renewal of negotiations. Adams would not accept the paragraph. He rewrote it. The conspirators then arranged for a caucus of the Federalists in Congress to consider an immediate declaration of war. A vote was taken and Adams controlled by a small majority. Hamilton had lost control of the party. Pickering began to show openly his hostility to the President. Assurance came from Talleyrand that an envoy would be received, and the President named William Van Murray. The Federalist senators held a caucus and determined to defeat the nomination. A committee was appointed to wait upon the President. They had mistaken his independence. Finally, Chief Justice Ellsworth intervened with the President on behalf of the Federalists and the names of three men, Murray, Ellsworth, and Patrick Henry, were sent to the Senate and confirmed. Henry declined, and Governor William R. Davie of North Carolina was named in his stead. Pickering attempted to provoke Adams into refusing Talleyrand's somewhat blunt assurances, and delayed preparing instructions. Finally, after more delays caused by his Cabinet members and Hamilton, the envoys were on their way to France and war was averted. The Federalists were hopelessly divided. Adams parted with Pickering and McHenry but retained Wolcott, whose disloyalty he did not suspect. Wolcott remained until November, 1800, furnishing Hamilton with information which the latter used against Adams in the campaign that year, then followed Pickering and McHenry.

Jefferson chosen President.—Jefferson and Burr again were the nominees of the Democratic-Republican party in 1800, and Adams had as his colleague, General Charles C. Pinckney, the brother of his running mate of 1796. Jefferson succeeded in forcing the Federalists to accept as fundamental the division between the two parties as that of his own party representing the agrarians and his opponents, the capitalists. The first great shock of the campaign to the Federalists came in May when, through the efforts of Burr and George Clinton, the Republicans elected a majority of the New York legislature which was empowered to choose the electors for the state. This caused Hamilton to propose to

Governor Jay that the existing legislature be called into session to provide that the electors should be chosen by districts, as in Pennsylvania, with the idea of securing for the Federalists a majority in the country at large. Jay refused to be a party to such a partisan proposition.¹⁴ The Republican electors divided their votes equally between Jefferson and Burr, giving them each 73 votes. Adams received 65, Pinckney 64, and Jay 1, as an elector in Rhode Island cast his vote for the New York governor in order that Adams would have one more vote than Pinckney. The Federalists had all of the electoral votes from New England, New Jersey, and Delaware. The votes of Pennsylvania, Maryland, and North Carolina were divided. Senator Charles Pinckney, a convert to Jeffersonian ideals, had succeeded in securing defeat for his cousin and Adams in South Carolina by arraying the agrarians against the commercial interests. The Republicans also carried solidly New York, Virginia, South Carolina, and the then backwoods states of Georgia, Kentucky, and Tennessee. With the election thrown into the House to determine whether Jefferson or Burr should be President, the Federalists controlled the votes of a majority of the state delegations.

The Federalists first thought of balloting fruitlessly for a President until March 4th, when a new election would have to be held under provisions of a statute passed in pursuance of Constitutional provisions. This scheme was outlined in the "Columbia Sentinel" in December, 1800, but would have brought such disfavor upon the party that it was not tried. Then the idea of the party seemed to be to elect Burr over Jefferson. Hamilton was unalterably opposed to this. Hamilton exerted his influence particularly over Representative James A. Bayard of Delaware. Burr could have been elected had he given assurances to the Federalists that he would administer his office as a Federalist, if chosen. When Bayard was convinced that Burr would not commit himself, he took the step which resulted in Jefferson's election. Most of the Federalists voted for Burr but a few for Jefferson. Jefferson had the votes of eight states, Burr of six, each state casting one vote. Maryland and Vermont were divided. It was necessary for one of the candidates to secure nine states.

¹⁴ Lodge, "Works," op. cit. vol. viii, pp. 549 et seq., "Philadelphia Aurora," May 7, 1830.

Finally, Bayard announced to his colleagues that he was determined to vote for Jefferson. This threw his fellow partisans into confusion, for it would have given Jefferson his ninth state. Finally, before the thirty-sixth ballot was taken, on February 17, the Federalists from all of the states other than New England, Vermont excluded, decided they would not vote, which gave Vermont and Maryland to Jefferson, rendered blank South Carolina and Delaware, and left Burr the four New England states only. Jefferson thus was elected. Undoubtedly, as leader of his party, he was entitled to the position.

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44 PARTY PRINCIPLES AND PRACTICAL POLITICS

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Questions

1. What was the attitude of the Anti-Federalists in the First Presidential campaign?
2. What was the attitude of the Anti-Federalists toward the Hamiltonian policies?
3. Was Thomas Jefferson originally an Anti-Federalist?
4. What was Hamilton's position on the Continental debt?
5. What was Hamilton's position on the state debts?
6. What was the attitude of Senator Maclay of Pennsylvania and Representative Jackson of Georgia toward funding and assumption?
7. What did Jefferson and Madison do about assumption?
8. What were the party lines on Hamilton's excise tax on liquors?
9. Was Hamilton's national bank plan opposed?
10. What was Hamilton's position on protection?
11. What did Hamilton's policies mean?
12. What were Jefferson's followers called?
13. Did all elements wish to see Washington and Adams re-elected in 1792?
14. Where were Hamilton's sympathies in the French Revolution?
15. Where were Jefferson's sympathies in the French Revolution?
16. When did Washington become a partisan?
17. Did France take any part in American politics?
18. When the Republicans began to demand a war against England, in 1794, what was the position of the Federalists?
19. What caused the unfavorable response to the Jay treaty?

20. What connection was there between the Republican party and the whiskey rebellion?

21. Why was a Federalist chosen President and a Republican Vice President in 1796?

22. What was Adams' political philosophy?

23. What were the principles of agrarianism as enunciated by John Taylor of Caroline?

24. What were the party divisions in the Adams administration?

25. What four measures under the Adams administration greatly weakened it before the electorate?

26. What were the principal provisions of the alien laws?

27. What were the principal provisions of the sedition law?

28. What political influence did the alien and sedition laws have?

29. What was the political influence of the "X, Y, Z" affair?

30. What caused the division in the Federalist party prior to the election of 1800?

31. What were the results of the campaign of 1800?

CHAPTER V

DEMOCRATIC-REPUBLICAN CONTROL

Change of Presidential election.—One of the most important acts of Jefferson's first term was the submission in 1803, and the adoption the following year, of the Twelfth Amendment to the Constitution, over the opposition of the Federalists, changing the method of the election of the President and Vice President. Under its terms, each elector casts one vote for President and another for Vice President, both not to be from the state of the elector as before. A majority elects. In the event of a deadlock, the election of the President is thrown into the House and of the Vice President into the Senate. The House votes for the three candidates with the largest number of votes, by states, a majority of the states being necessary for election. The senators vote individually for Vice President, selecting from the two candidates with the highest number of electoral votes. Two-thirds of the Senate form a quorum for the purpose. If no one is elected President by the House, the Vice President assumes the office.

In the first Presidential election, Pennsylvania, Maryland, and Virginia passed laws for the popular choice of the electors. In 1792, in nine states, the electors were chosen by the legislatures, in two by the legislatures and the people, and in four by popular vote. In 1796, six states allowed popular election and ten chose by means of the legislatures. In 1800, only four states had popular election for electors, but owing partly to the Jeffersonian influence from that time on the legislatures divested themselves of this authority. In 1804, the legislatures chose in seven states; in seven electors were elected by popular vote on general tickets and in three similarly by districts. By 1832, all of the states, except South Carolina, where the choice was made by the legislature until after the Civil War, chose the electors on popular tickets.

Because of Reconstruction, the Florida legislature chose the electors in 1868, and Colorado, just admitted to the Union, did the same in 1876. In 1890, the Democrats elected the governor and a majority of the legislature in Michigan, and they changed to the district system for the election of 1892, with two elected from the state at large, in order to give a part of the electoral vote to the Democratic Presidential candidate. After that election, Michigan returned to popular tickets chosen from the state at large, and this method has been in vogue ever since.

Federal judiciary.—The Ellsworth judiciary act of 1789 created a Supreme Court of six members. These justices were required to hold a circuit court in pairs, together with the judges of the district courts. They heard the same cases on appeal that had been tried before them on the circuits. The enacting of this law was unsatisfactory to many, including such future members of the Republican party as Grayson, of Virginia, and Maclay in the Senate, and Gerry and Jackson in the House. The encroachment of the judiciary thus created upon the powers of the states and their courts was feared by these Anti-Federalists. The law operated so badly that bench, bar, and litigants were opposed to it.¹

A source of considerable opposition developed among the Republicans over the power to try persons indicted for crimes against the English common law assumed by these courts. This practice finally was stopped by the Supreme Court in 1812 in the decision of *United States vs. Hudson*.²

In 1801, the Federalists passed a new judiciary act in which the membership of the Supreme Bench was reduced to five after the next vacancy, and the office of the circuit judge was created for sixteen circuits. The circuit judge was to hold circuit court in place of the Supreme Court justice. Court terms, it was expected, would be more regular. Adams immediately appointed Federalists to all of these offices, and John Marshall of Virginia, believing in the merit of the new law, accepted the position of Chief Justice. Marshall was to perpetuate the principles of the Federalist party almost up to the end of his career on the bench, when he was succeeded

¹ Albert J. Beveridge, "The Life of John Marshall," (1916), vol. iii, pp. 53-56.

² 7 Cranch, 32 et seq.

in Jackson's administration by Roger B. Taney of Maryland, with different judicial views.³

The Democratic-Republican party thus assumed office in 1801, in control of the Presidency and the House and with virtual control of the Senate, but with the Federal judiciary packed against them for many years to come, as the members were appointed for life or good behavior. Senator John Breckenridge of Kentucky moved in 1802 to repeal the new law. Repeal would have restored the Ellsworth act. The charge was made that the new judges were superfluous and the measure extravagant. The Breckenridge resolution passed the Senate by a vote of 16 to 15, all the members, with the exception of one, voting along party lines. In the House, it passed 59 to 32, all Republicans in the affirmative and all Federalists in the negative. At the same time, a provision was included which prevented the Supreme Court from meeting for fourteen months, thus insuring that the old Ellsworth act would be back in full operation when it did convene. By keeping the Supreme Court out of session, there would be no opportunity to declare the new act unconstitutional, and the Federalists so ousted would be safely out of their jobs.⁴

Jefferson had no academic conviction against the right of the Supreme Court to declare acts unconstitutional, as had many of his followers, and opposed the principle only because of the use made of it by his kinsman and political foe, Marshall. Marshall was to assert this principle and strengthen the Federal idea of strong nationalism in the case of *Marbury vs. Madison*. Just prior to the expiration of his term, Adams had appointed forty-two justices of the peace for the District of Columbia. Marshall, as Secretary of State, had signed the commissions but had neglected to deliver them to the appointees, whereupon *Marbury* and three others applied to the Supreme Court for a writ of mandamus to compel Secretary Madison to deliver them. Marshall induced his colleagues to declare unconstitutional that section of the Ellsworth act which empowered the Supreme Court to issue such writs. The Republicans had thought that the decision would be in favor of *Marbury* and his Federalist associates. Mar-

³ Beveridge, *op. cit.* vol. iii, pp. 56-57.

⁴ *Ibid.*, vol. iii, pp. 57-97.

shall's opinion gave fresh impetus to Republican plans to subdue the Federal judiciary.⁵

Alexander Addison, a Federalist, and a state judge in Pennsylvania, had made grand jury charges which were in effect campaign speeches against the Republicans, and had so conducted himself officially in other respects that he was impeached and removed from office by the Republican party, in control of the legislature. This was a cue to the Republicans in Congress who thought they could similarly dispose of Federalist judges of United States courts and thus check their promulgation of Federal doctrines of nationalism. Associate Justice Samuel Chase of the Supreme Court, who had been particularly biased in trials of persons indicted for violation of the sedition law in the circuit court, was selected as the first one for attack after John Pickering, insane and a drunkard, had been removed, through this process, at the instigation of the Republicans. The impeachment was voted by the House in 1805, and John Randolph of Roanoke was made leader of the managers who pressed the charges before the Senate. There were thirty-four members of the Senate and twenty-two were necessary to convict Chase. The Republicans were unable to poll more than four-fifths of their strength on any of several charges against him, and he was acquitted. It was useless to carry plans of impeachment further in order to reverse *Marbury vs. Madison*.⁶ While Jefferson wanted Chase removed, failure to remove him undoubtedly brought to his standard many who were wavering as to their allegiance in the North, and quieted somewhat threats of secession in New England.

After Jefferson had been succeeded by Madison, Marshall was to give another decision almost as obnoxious to the Republicans as that of *Marbury vs. Madison* had been. The Georgia legislature had attempted to repeal a grant of land which it previously had made, on the ground of fraud. Peck claimed damages on the annulled grant and brought suit in the Federal courts. He charged violation by Georgia of the Constitutional clause forbidding a state to pass a law impairing the obligation of a contract. The court declared the Georgia

⁵ *Ibid*, vol. iii, ch. iii; 1 Cranch, p. 154 et seq.

⁶ Beveridge, *op. cit.* vol. iii, ch. iv.

act unconstitutional.⁷ There was no way to execute the decision, the President was not in sympathy, and so Congress made an appropriation in 1814 to help the feelings of the claimants under the grants.

In 1819, the case of *McCullough vs. Maryland* was decided by the Supreme Court. Thus another blow was struck at the strict constructionists of the Republican party who did not believe in the constitutionality of the United States bank. Maryland, among other states, passed a law to tax its notes. The bank resisted and the case came before the Supreme Court. Marshall held that the act creating the bank was constitutional because the Government has all of the power implied in its creation. A bank, being useful in a prosperous government and its creation not being prohibited under the Constitution, Congress had the right to create it. Marshall said the state had no right to tax the bank, as it might tax it out of existence if it did have such power, and "the power to tax involves the power to destroy."⁸ Another decision the same year, that of the *Dartmouth College* case, also had its political aspects. The Republicans of New Hampshire had endeavored to amend the charter of Dartmouth College, chartered in ante-Revolutionary days by the crown, by enlarging the board of directors and otherwise obtaining control. The court held that this would have been an impairment of the obligation of a contract and that the charter could not be recalled so long as the grantee observed its conditions. This decision since has been modified under the exercise of the police power, and legislatures now reserve the right to amend in granting charters.⁹

While the liberal construction of the Constitution worked to the disadvantage of the principles of the Republican party in most cases, in one it gave constitutional sanction for the greatest act of Jefferson's administration, the acquisition of Louisiana in 1803. Robert R. Livingston, American minister to France, was offered the tract by Talleyrand, and signed a treaty, without authorization from Jefferson, who had asked him to seek only the Isle of Orleans. The United States paid 60,000,000 francs in cash and agreed to assume American

⁷ *Ibid*, vol. iii, ch. x; *Fletcher vs. Peck*, 6 Cranch, p. 127.

⁸ *Beveridge*, op. cit., vol. iv, ch. iv; 4 *Wheaton*, p. 192.

⁹ *Beveridge*, op. cit., vol. iv, ch. iv.

claims of 20,000,000 francs against France. At first Jefferson, a strict constructionist, thought of asking Congress to submit an amendment to the Constitution authorizing the purchase but abandoned this plan and permitted the Senate to ratify the treaty and Congress to appropriate the necessary amount. This was done over the opposition of the New England Federalists, since Louisiana, they feared, eventually would turn the balance for the Republicans against the Federalists of the Northern and Eastern states. The court later held, in a case arising from the purchase of Florida, that since the Government could make war and conclude treaties, it could acquire territory either by conquest or treaty.¹⁰

Achievements under Jefferson.—Jefferson hated internal duties as a matter of principle, and he secured the repeal by Congress, in 1802, of the stamp duties and the whiskey tax which had caused the "rebellion" in western Pennsylvania in Washington's administration. In 1803, Jefferson secured the repeal of the bankruptcy act of 1800. While he did not doubt the explicit right to pass such an act, he had a peculiar animosity growing out of his dislike for commerce, and was content to see the credit and commerce of the country thrown back upon the weak legislation of the several states.

The Presidential election of 1804 approached with the Republicans gaining strength with the masses. Jefferson and the party leaders were done with Burr, and George Clinton of New York was substituted by the party caucus. The Federalists supported Charles C. Pinckney and Rufus King of New York. Burr became a candidate for governor of New York, with the support of the Federalists. Senator Timothy Pickering of Massachusetts looked to Burr's success, and then his leadership, in a movement to form a Northern confederacy because of the fear that Virginia and the South were to dominate the Government. Burr was defeated, partly because of the opposition of Hamilton, who always looked with disfavor on New England threats of secession. Jefferson and Clinton got nine of the electoral votes of Maryland, lost Connecticut and Delaware, but carried all of the other states, receiving 162 votes to 14 for the Federalists.

Jefferson was beset during his second term with the diffi-

¹⁰ 1 Peters, p. 511.

culties arising from the war between England and France. The Chesapeake affair of 1807, the orders in council, the Berlin and Milan decrees, the embargo act and non-intercourse, all contributed to accentuate the party divisions which originated during Washington's incumbency when the Federalists were accused of being pro-British and the Republicans, pro-French. The British were the worst offenders, and this disgusted some of the Federalists, including Senator John Quincy Adams, of Massachusetts, son of the second President, who attended the Republican caucus of 1808, and later was elevated to the Presidency as a member of that party.

Jefferson's Secretary of the Treasury, Gallatin, perhaps second only to Hamilton in American politics as a financier, did not believe in the advantage of a large national debt and made plans for its eventual retirement.

The Republican party was so strong in both Houses of Congress during Jefferson's administration, and the representation of Federalists so weak, that the Republican majority became unwieldy. This often happens when a majority is much larger than necessary to put through a party program safely. James Monroe, strong in Virginia, felt resentment against the administration because Jefferson refused to submit to the Senate a treaty which he and William Pinckney had negotiated with Great Britain. Randolph, of Roanoke, chairman of the House ways and means committee, disapproved of a part of Jefferson's foreign policy and became one of the critics of the administration. He placed himself at the head of a faction of the Republicans called "Quids," and almost defeated an appropriation desired by Jefferson for negotiations with Spain. Jefferson announced that he would not seek a third term, and it became known that Madison was his choice for the succession in 1808. Randolph launched a campaign in behalf of Monroe, and had the support of Virginia for a time. In New York, with Burr no longer a factor in politics, the Livingstons and Clintons fell out with each other, and engaged in a factional struggle that weakened the party in the state for many years. In Pennsylvania, the McKean Republicans fused with the Federalists, and defeated Snyder, "regular" party candidate for the governorship. Madison received the caucus nomination for President, and George Clinton was renominated for Vice President, the Virginia-

New York combination, having been successful in two elections, it was thought desirable to try it again. An informal conference of Federalists, meeting in New York, again placed in nomination their ticket of 1804, Charles C. Pinckney and King.

Seventeen Republican members of Congress published a protest against Madison's nomination and it seemed that Monroe, for whom fifty members of the Virginia legislature, in a "rump" caucus in that state had voted, would continue in the race. Fortunately for Madison, he had an overwhelming majority in Virginia. The two factions nominated rival sets of electoral candidates in Pennsylvania, but later got together on a ticket and delivered the state to Madison. The Livingstons were strong partisans of Madison, and with Clinton on the ticket the Republicans carried New York. The only states that the Federalists carried were New Hampshire, Massachusetts, Connecticut, Rhode Island, Delaware, plus two electors in Maryland and three in North Carolina. Six of the electors in New York voted for Clinton for President instead of Madison.

Federalist disloyalty.—Madison inherited from Jefferson the foreign problems which he had assisted in handling as Secretary of State. He had as his Secretary of State, Robert Smith of Maryland, but he was so incompetent that Madison had to part with him and Monroe was induced to accept the position in 1811, thus coming in line for the succession. Reopened trade with England was followed by non-intercourse, the Rambouillet decree, and a second act on non-intercourse. When the House convened in 1811, Henry Clay, of Kentucky, entered for the first time and was chosen speaker. John C. Calhoun, of South Carolina, began his second term at the same time. They were the leaders of a younger element in the party that desired war with England. One John Henry was employed by the governor-general of Canada to visit the United States and ascertain the likely state of public opinion in this country in the event of war against England. Henry found evidence of disloyalty in New England and later sold the result of his investigations to Madison when he became displeased with his treatment from the Canadian officials. On April 1, 1812, Madison confidentially recommended to Congress an embargo for sixty days. The Republican caucus

on May 12 renominated Madison, and Clinton having died in office, Elbridge Gerry was named for Vice President. The spirit of the party, owing to the influence of the new group of younger men in Congress, was for war and on June 1, Madison heeding this sentiment, recommended a declaration which was voted by Congress. The resolution passed, largely along sectional lines, in both Houses of Congress. The Federalist members of Congress published an address to the people before adjournment, charging that the war had been brought on by party considerations and hope of conquest of Canada, and vindicated their course in opposing it.

DeWitt Clinton had succeeded to leadership of the Republican party in New York. and with the death of his uncle there was no incentive to keep him in line for the ticket which Madison headed. He had been for war when Madison still was for peace, and when Madison changed, he sought to make campaign material of the impropriety of Congressional caucuses and Southern domination. The Democratic members of the New York legislature met in caucus and nominated Clinton for the Presidency. Martin Van Buren took charge of his candidacy. Clinton always had been bitter in his denunciation of the Federalists, but now he sought their support. In September, seventy Federalists from eleven states attended a "convention" at New York and after much discussion, Clinton was endorsed and Jared Ingersoll of Pennsylvania named for Vice President.¹¹ Some of the Federalists refused to accept Clinton's candidacy with any enthusiasm, and a minority of the party members in the New York legislature later refused to vote for Presidential electors favorable to him; yet substantially all of the party gave him at least nominal support. Vermont was the only New England state carried by Madison, and this because of legislative apportionment. The antipathy of the Federalists to the war gave the other states of this section to Clinton, who also carried New York, New Jersey, and Delaware and had part of the vote of Maryland. Pennsylvania decided the contest in favor of Madison.

During the course of the war, the Federalist governors of

¹¹ John S. Murdock, "The First National Nominating Convention," in *American Historical Review* (1895), v. i, no. iv, pp. 680-683.

Massachusetts and Connecticut refused to allow the militia to march on the President's requisition, on the assumption that no invasion was in progress. The Hartford convention of 1814 was the climax of Federalist disloyalty, and long after its meeting the Republicans and the later Democrats charged it was a treasonable gathering. While the treaty of Ghent, which concluded the war, brought no success to American contentions, the news of the victory of General Andrew Jackson at New Orleans filled the states with enthusiasm and the war, so far as the Republican party was concerned, was politically a success.

Changed policies.—The Democratic-Republican party in the first sixteen years that it was in power, changed its position on many fundamentals, owing to the responsibility of authority. The party, which sponsored the Virginia and Kentucky resolutions, violently denounced the failure of the Federalist party in New England, and elsewhere, to support the war and the Hartford convention. As the party of "state rights" they placed the "Virginia Dynasty" in the Presidency for twenty-four years and as a result almost drove New England out of the Union. They yielded the principle of strict construction to meet a condition when they consummated the Louisiana purchase. They denounced the Federalists for wanting peace on any terms with England and then through necessity accepted such terms when three of their ablest members, Clay, Gallatin and John Quincy Adams, could get nothing better at Ghent. The party, however, always maintained agrarian support with the commercial interests of the cities largely in favor of the Federalists. Out of power, the Federalists forsook principles for opportunistic opposition.

With the resumption of commerce after the war of 1812, the new industries were exposed to foreign competition. The tariff act of 1816, supported by Calhoun and others who felt responsible for the war, raised the duties to an average of about 20 per cent, and while this, to an extent, was the acceptance by the Republican party of a Hamiltonian doctrine, yet there was no sentiment for a permanent protective policy. The higher rates were made to pay the costs of the war, and only incidentally for the protection of the newer industries. Clay, in his earlier speeches, however, foreshadowed the

American system of which he was to be the sponsor as the later Whig leader.¹² Daniel Webster made a powerful speech against the act of 1816.

It was a matter of common knowledge that when Monroe entered Madison's Cabinet he was to have the support of the latter for the Presidency when his tenure of office closed. The nomination was to be made in the caucus, and the group of young Republicans who were responsible for participation in the war of 1812 brought forward William H. Crawford of Georgia, a man with proportionately much greater support in Washington than in the country at large. Governor Daniel D. Tompkins of New York was the favorite of the Northern wing of the party. The administration, however, controlled the caucus, and the names of Monroe and Crawford alone were presented, the former getting the nomination, by the narrow margin of eleven votes. Tompkins was nominated for the Vice Presidency, Gerry having died in office, and the party reverted to the Virginia-New York coalition which it had forsaken but once, four years before. Monroe's election was a foregone conclusion. The Federalists held no caucus, and it was uncertain to the last for whom they would vote. In many states, there was no opposition to Monroe's candidacy. The legislatures of Massachusetts, Connecticut, and Delaware, however, chose Federalist electors, and they all voted for that old war horse of the party, Rufus King, for President. They divided their votes among four candidates for the Vice Presidency. The election simply confirmed what everyone knew had taken place—the disintegration of the Federalist party.

The "Era of Good Feeling," which generally is applied to the time of Monroe's administration, could more properly be termed the "Era of Personal Politics." The Federalist party ceased to hold any but local offices, and did not maintain an organization in all of the states. Its representation in Congress was so small as to be inconsequential. When his first term neared its close, the members of his party met in caucus and determined it was not advisable to make any nomination for the Presidency. His re-election was a foregone conclusion. In Pennsylvania, an opposition ticket was placed in the

¹² Taussig, *op. cit.*, pp. 17-19.

field on the ground that he was the candidate of the slavery party. Monroe had submitted to the Cabinet the administration action on the enabling act for Missouri, and had abided by its recommendations. The vote throughout the country in 1820 was light. Former President Adams headed the Monroe electoral ticket in Massachusetts. Monroe received the votes of all of the electors but one, William Plumer of New Hampshire, who prided himself on his independence of political and religious ties, and who voted for John Quincy Adams because he distrusted Monroe. Eight electors in Massachusetts, all Federalists, while voting for Monroe for President, voted for Richard Stockton of New Jersey for Vice President instead of Tompkins, who received, however, all but 14 votes.

Monroe had taken John Quincy Adams into his Cabinet as Secretary of State, and many believed that this was the logical stepping stone to the Presidency in 1824, as it had been for Madison and Monroe. Monroe personally, however, favored his Secretary of the Treasury, Crawford, who had strong support in Congress and in the South. John C. Calhoun, Secretary of War, who had made a brilliant record in Congress, also was considered. Senator Andrew Jackson of Tennessee, hero of New Orleans, was a candidate. DeWitt Clinton, in retirement, still entertained Presidential ambitions. Henry Clay was then, as for many years thereafter, either an actual or receptive candidate for the Presidency.

Crawford was strong enough with his party in Congress to receive the caucus nomination. This was as much of a boomerang to his campaign as it was an aid. Gallatin was nominated for Vice President with him, but since he had once been excluded from the Senate because of citizenship, no campaign of any consequence was made in his behalf, and John C. Calhoun, although nominated for the higher office by the South Carolina legislature, generally was accepted as the Vice Presidential candidate by party leaders in most of the states, and yielded his Presidential ambitions for the time being. Clinton's campaign did not get beyond the nomination stage in several Ohio counties. Jackson was nominated successively by the lower house of the Tennessee legislature, and by numerous mass meetings and conventions throughout the country. Most of the New England legislatures nominated Adams. The Virginia legislature nominated Crawford. Jackson re-

ceived 99 electoral votes, Adams 84, Crawford 41, and Clay 37. Calhoun received 182 votes, for Vice President to 78 scattering, and was elected. For the first and only time since the adoption of the Twelfth Amendment to the Constitution, the election of the President was thrown into the House of Representatives. Clay was eliminated as a candidate, and the states voted by delegations for Adams, Jackson, and Crawford. Clay had considerable influence in the House, because of his prominent services there, and threw his support to Adams, who thereby received the support of thirteen states to seven for Jackson and four for Crawford. Thus Adams became the last President of the old Democratic-Republican party, in a contest in which all of his opponents belonged to the same organization. Adams, however, had polled all of the electoral votes of New England, but this was as much a matter of sectional pride as anything else, since the old Federalist families there, who stuck by the party until it passed out of existence, never forgave him for deserting the organization which elevated his father to the Presidency. Clay became Secretary of State, and this gave rise to charges that there had been a deal made between the two, whereby Clay got the appointment for his support of Adams among House members. This was not true, but was believed by the followers of Jackson, who always resented it because Adams "cheated" him out of the Presidency, since he had a plurality in the electoral college.

Election of Jackson.—The political questions of the Adams administration were not such as to justify the formation of parties, and the campaign for the Presidency in 1828 was to be fought largely along the lines of personalities as it had been in 1824. The Panama mission was the subject of bitter attacks upon the administration in Congress. Adams, although afterwards a candidate of the Anti-Masonic party for the governorship in Massachusetts, was accused, in regions where the Masons were unpopular, of being a member of that order, and yet he was not. The divisions on internal improvements were more sectional than partisan, and the tariff issue entered only because its opponents felt themselves strong enough to inject it. Adams' candidacy was as logical as his defeat was foredoomed. His supporters were unable to assist Calhoun for re-election because the latter had

been taken up by the Jacksonians. The Tennessee legislature had nominated Jackson as early as 1825. Secretary of the Treasury Richard Rush was nominated for the Vice Presidency at an administration convention at Harrisburg, in 1826. The majority of the supporters of Jackson called themselves "Democrats." Probably most of the members of the Democratic-Republican party called themselves such prior to that time. Jackson's victory in the electoral college was decisive. Adams received only New England, exclusive of one Maine elector, New Jersey, Delaware, and part of New York and Maryland. Jackson held his own support of four years before, attracted the Crawford following largely because of the activity of Martin Van Buren, and got the electoral votes in the West which Clay had in 1824.

The establishment of the Bank of 1791 had been over the protest of the Anti-Federalists of its time. Its charter expired in 1811. At that time, Gallatin and a few other influential Republicans urged the renewal of its charter, but it failed in both Houses by a narrow margin. In 1814, Madison vetoed a bill for a new bank but, in 1816, approved one which had been introduced by Clay. Thus, a Republican administration, accepted another Hamiltonian policy.

When Congress passed a resolution that it was constitutionally proper to appropriate money for the construction of post and military roads and canals by the aid of Republican votes, the Federalists generally opposed it. Consistently, as broad constructionists, they should have favored this exercise of power, but for selfish reasons they realized that the Republican states in the South and West probably would be the greatest beneficiaries. Consistently, also, the Republicans, as strict constructionists should have opposed it, but selfishly, possibly, they saw the advantages likely to be reaped by their constituencies through such a policy. There was not a strict party division on this, however.

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Questions

1. Describe the choice of President and Vice President under the Twelfth Amendment.
2. How are Presidential electors chosen and how have they been chosen in the past?
3. How did the Federalists attempt to reorganize the national judiciary?
4. What was the Republican attitude toward the reorganized judiciary?
5. In what case did Marshall assert the right of the Supreme Court to declare an act of Congress unconstitutional?

6. What Federalist justice was impeached by the Republicans with the idea of wresting control of the judiciary from the old party?
7. What was the result of this impeachment?
8. In what case did Marshall enunciate the right of the Supreme Court to declare a state law unconstitutional?
9. Under what decision of the Supreme Court was the right of Congress to establish a National bank affirmed and upon what grounds?
10. In what famous case had the parties of New Hampshire divided?
11. Liberal construction of the Constitution gave sanction to what great act of Jefferson's administration?
12. Of what other Federalist acts did Jefferson secure the repeal?
13. Who were the party candidates in 1804 and who were chosen?
14. What part did Burr play in the election of 1804?
15. Why did John Quincy Adams leave the Federalist party and affiliate himself with the Democratic-Republican?
16. In what principal respect did Gallatin differ from Hamilton?
17. What was the attitude of James Monroe and John Randolph, of Roanoke, toward the Jefferson administration?
18. What was the faction of the party called which Randolph of Roanoke headed?
19. What was the result of the Presidential election of 1808?
20. What element of his party forced Madison into approving a declaration of war against England?
21. Did the Federalists loyally support the war of 1812?
22. Discuss the Presidential election of 1812.
23. In what respects did the Republican party change position on fundamentals during the first sixteen years it was in power?
24. What was the policy of the tariff act of 1816?
25. What was the attitude of Calhoun and Webster toward its protective features?
26. Who were the Republican candidates in 1816?
27. What is meant by the "Era of Good Feeling"?
28. What was the result of the election of 1820?
29. Discuss the election of 1824?
30. Why did Jackson men say that Adams had stolen the Presidency?
31. Were the political questions of the Adams administration of so fundamental a nature as to justify the creation of new parties?
32. What was the result of the election of 1828?
33. What were Jackson's supporters called?
34. Was Madison consistent in his position on the Bank?

CHAPTER VI

DEMOCRATS AND WHIGS

Jacksonian era enters.—Up to the time of Andrew Jackson, the country had produced but two actual party leaders, Hamilton and Jefferson. Hamilton, as closest intimate of Washington in the Cabinet, dictated the policies of the administration which were to become the creed of the Federalist party. Jefferson, as leader of the opposition in the Cabinet, formulated the policies which were to be the creed of the Democratic-Republican party, until expediency forced the abandonment of a part of them. John Adams never was the leader of the Federalists. Madison, Monroe, and John Quincy Adams made no endeavor to assert the leadership which Jefferson exercised over the Democratic-Republican party. The younger Republicans temporarily grabbed the leadership to bring war against England, but later lost it.

At the time of Jackson's election, there were no party lines as there had been between the Federalists and the Democratic-Republican party, and as there were later to be between the Democrats and the Whigs. Candidates were Jackson men or Adams men, as circumstances warranted. With the issues running across candidacies, except so far as their personalities were concerned, there was no doctrine or set of beliefs that would identify a person as belonging to one of the groups. But an old man with an iron will had succeeded to the Presidency, and he would promulgate the issues which largely would cause a new alignment of parties during his administration and the eight years following. As he and his supporters built a party for him, his opponents, as the opportunities presented, would oppose him in his course, and under the leadership of Henry Clay and his associates would construct a party of somewhat divergent interests, which in time would pass out of existence.

The remnants of the Federalist party in New England early affiliated themselves with the opposition, and many have contended that the Whig party was the descendant of the Federalist party. This is not altogether true. Both Democrats and Whigs claimed to be the followers of Jefferson. Jefferson, himself, before his death, looked with fear upon the prospect that Jackson would succeed to the Presidency. Nevertheless, Jackson did not fall heir to any perceptible amount of Federalist strength, his support coming from former members of the Democratic-Republican party. As Jefferson had drawn on the backwoods for support, so did Jackson, and so the claim now made by Democrats that their party is the outgrowth of the one led by Jefferson is not without foundation.

With the Jacksonian era came the real power of the people in politics. The gradual enfranchisement of all white males, which had started as a Jeffersonian policy, came to its fruition at about this time. The Congressional and legislative nominating caucuses had been condemned by popular feeling, and took their places with political institutions of the past. The power of government thus was transferred to the masses, so far as making nominations and electing candidates were concerned, which had not been true when Jefferson was elected, suffrage having been a matter of state regulation and the caucus having just appeared as a means of making nominations in order to recognize the functioning of party groups.

The new conditions made necessary a different kind of political organization. It meant the introduction into American politics of the organization of the party, from the nation and state on down to the precinct, in somewhat the same form as exists at the present day. Party organization prior to Jackson's time had been highly informal. It was necessary for the party workers, in order to sway sentiment and keep the party in power, to be informed of the issues of the day. Inasmuch as party workers, like other employees, must have compensation, it was an easy matter for the spoils system to be created in order to reward the faithful for their efforts.

Such a change could not be effected without much bitterness. The party controversies of the Jacksonian era were the most bitter in the history of the country. While Andrew Johnson and Woodrow Wilson, as strong characters in their

ways as Jackson was in his, produced bitter antagonists in Congress, the partisan acrimony under either did not reach the height to which it soared under Jackson.

Jacksonian policies.—Jackson placed Van Buren at the head of his Cabinet, and with him he was more intimate than any of the other members. He did not consult his Cabinet as most Presidents before and since have done, but instead relied upon the advice of a group of real politicians who formed what was contemptuously called the “kitchen cabinet.” It was composed of Major Lewis and Amos Kendall, second and fourth auditors of the Treasury, respectively, and Isaac Hill of New Hampshire. These men were practical politicians in the modern sense of the word, who knew how to present issues to the people in a manner that would insure their cordial reception.

The Jackson men organized both houses of Congress, which met in 1829, and their opponents began to call themselves National Republicans. This Democratic majority did not always endorse Jackson’s policies, but many of them were loyal to him individually, and supported him for re-election without always following his recommendations to Congress.

Jackson took a position on internal improvements when he vetoed the Maysville road bill in 1830. He did this on the ground that the Government should not vote any national money for internal improvements. This was in line with the Jeffersonian principle of states’ rights.

The influence of Mrs. Eaton in the politics of the time can hardly be overestimated. Because of indignities to his wife, Jackson was quick to sympathize with the daughter of the tavern keeper who married into the Cabinet circle. Snubbed by Mrs. John C. Calhoun, Van Buren, a widower, had the good fortune to escort Mrs. Eaton to refreshments at a White House reception, and won the lasting admiration of the President for doing so. Then, when Jackson discovered that ten years before at a Cabinet meeting, Calhoun had opposed his actions in the Florida campaign, it was all off between the President and Vice President, and Van Buren was determined upon for the succession.

Calhoun, who first had favored a protective tariff, was loyal to South Carolina in its attitude toward the tariff of abominations of 1828. The expressions of Hayne in his debate with

Webster were the sentiments of South Carolina and also of Calhoun, who, from the Vice President's rostrum, wrote suggestions which he sent to Hayne by page during the course of his speech. It must have been with almost as great satisfaction in fighting Calhoun as it was in standing for the indivisibility of the Union for Jackson when he took his stand against nullification. Surely, his attitude in this regard was quite different from that of Jefferson and Madison in the Virginia and Kentucky resolutions. Calhoun more truly represented the old party ideal. The tariff of 1830, which had Jackson's approval, provided for slight reductions in duty, but still high protective schedules were in effect, which Jackson felt could be reduced when the national debt was paid. The new bill of 1832 made further reductions, but not sufficient to satisfy the South. It was then that Clay had the bill amended in the Senate, over the House rates, to provide for protection for goods of American manufacture. This became known as his "American system." Such protection was to be a cardinal Whig principle so far as he was concerned and later was to become the arch stone of Republican economic policy. It was then that Hayne stated that this was the first effort to introduce protection as a permanent American policy, since heretofore it had been considered a temporary expedient to await the extinguishment of the national debt.

Many have questioned Jackson's motives in dealing with the United States bank. Certainly his friends in New Hampshire wanted changes made in the administration of the branch bank at Portsmouth, to which Mr. Biddle, president of the bank, would not agree. Jackson questioned its constitutionality in his first annual message to Congress, and in that respect took a position quite consistent with Jefferson's theory of its unconstitutionality. Jackson proposed as an alternative a governmental bank. Jackson vetoed the re-charter of the bank, which passed Congress in 1832, and gave Henry Clay his principal issue for the campaign of 1832.

While Jackson had announced himself as opposed to more than a single term for the President, he had no fear of himself in the office for a second term and the "kitchen cabinet" set to work industriously to secure his re-nomination. He was placed in nomination by legislative caucuses and conventions in several states. A convention was called for the pur-

pose of nominating a Vice Presidential candidate. He had determined upon Van Buren as his successor in the Presidency.

Rumor had it that after Van Buren served eight years, Senator Thomas H. Benton of Missouri, the principal Congressional supporter of the administration, was to have two terms. Van Buren had resigned as Secretary of State following the social upheaval caused by the marriage of Secretary of War Eaton to a woman whose character was the subject of public discussion. Van Buren sympathized with Jackson in his resentment of the treatment accorded Mrs. Eaton. His resignation gave the President a free hand in appointing a new Cabinet and getting rid of the undesirable timber.

Jackson gave him a recess appointment as minister to England, and when the Senate met, it foolishly refused confirmation. Had there been any doubt in Jackson's mind about Calhoun's successor, the action of the Senate probably would have settled it.

The Anti-Masonic party held the first nominating convention at Baltimore, in 1831. Justice McLean of Ohio, who had been kicked upstairs from the Postmaster-Generalship to the Supreme Court because he would not administer the office in accordance with the spoils system, had consented, at an earlier preliminary convention of the party, to be its candidate. He had anticipated the endorsement of the National Republicans, and when he saw this was not forthcoming he declined the nomination, and it went instead to William Wirt of Maryland, with Amos Ellmaker of Pennsylvania as his running mate. The National Republicans met a little later and unanimously nominated Clay, the party leader in Congress, for the Presidency and John Sergeant of Pennsylvania for the Vice Presidency. An assembly of young National Republicans, meeting in Washington the following year, endorsed the ticket. The Democratic convention met and so far as possible crushed the opposition to Van Buren and gave him the second place on the ticket. Jackson's candidacy was endorsed by resolution of the convention.

The principal opposition to Jackson was offered by Clay. He based his campaign principally upon Jackson's veto of the bank's charter. It was easy for the astute managers of the Jackson campaign to make their chief's action popular with

the masses in this regard, and while the earlier state elections were close, Jackson's triumph was decisive. Clay got only three of the New England states, in addition to Delaware, Kentucky, and a part of Maryland. Wirt carried Vermont; South Carolina gave its electoral vote to John Floyd of Virginia. Jackson got the rest, a total of 219 against 67 for his three opponents. Van Buren got all of the Jackson electors except those in Pennsylvania.

Jackson did not entertain the same sympathy for France which Jefferson and his associates had shown. In the matter of the claims of our citizens against that country, when money pledged by the Rives treaty was not paid, Jackson urged Congress, in 1833, to authorize the seizure of French property on our borders. Clay led the Whig opposition to Jackson's request, and finally France agreed to pay, if Jackson would withdraw offending language he had used. Jackson was more moderate in his expressions to Congress in 1835, and four of the installments were paid. There was in this controversy no issue between England and France, and with none of the principles of the French Revolution involved, it hardly would be fair to compare it to the previous diplomatic difficulties.

Jackson's second term was engrossed largely with his war on the bank. He had a safe majority in the House, but in the Senate, because of the state's-rights senators, he had only a minority support. The opposition began to term itself the Whig party in 1834, and with this group Clay, Webster, and Calhoun, for the time being, were affiliated. Horace Greeley's "Whig Almanac" for 1838 stated that the party then consisted of:

"1. Most of those who, under the name of National Republicans, had previously been known as supporters of Adams and Clay, and advocates of the American system;

"2. Most of those who, acting in defense of what they deemed the assailed or threatened rights of the states had been stigmatized as Nullifiers or the less virulent State-Rights men who were thrown into a position of armed neutrality towards the administration by the doctrines of the proclamation of 1832 against South Carolina;

"3. A majority of those before known as Anti-Masons;

"4. Many who had up to that time been known as Jack-

son men but who united in condemning that high handed conduct of the Executive, the immolation of Duane, and the subservience of Taney;

"5. Numbers who had not before taken any part in politics, but who were now awakened from their apathy by the palpable usurpations of the Executive, and the imminent peril of our whole fabric of Constitutional liberty and national prosperity."

Such a motley crowd could not hold together indefinitely in politics. It was too obviously a collection that might be drawn together any time in opposition to an administration, when some objected for one reason and the rest for other reasons. It was so unnatural that when Tyler became President, with his idea of states' rights, he and many others drifted into the Democratic party. Calhoun, of course, soon parted company with the Whigs.

Jackson had succeeded in elevating his favorite to the Vice Presidency, and he devoted a large part of his energies in his second term toward making him President. He wanted a national convention held, and it met in Baltimore in 1835. The convention was so much under the dominance of Jackson that Van Buren received a unanimous nomination for President, and Colonel Richard M. Johnson was named for Vice President. The opposition held no convention. General William Henry Harrison of Ohio was nominated by a state convention of Anti-Masons at Harrisburg. Senator Hugh L. White was named by the Tennessee legislature. Judge John McLean was nominated by the Ohio legislature. The Massachusetts Whigs nominated Webster. Francis Granger of New York was the Vice Presidential candidate with Harrison, and Tyler with White. The opposition hoped to deadlock the electoral college and throw the election into Congress. They succeeded in doing this for the Vice Presidency, but Johnson in the end was chosen by the Senate over Granger. Van Buren had 170 electoral votes, to a total of 124 for his opponents. Jackson had selected his successor, a feat accomplished before him by Jefferson and Madison; after him only by Roosevelt. Certainly Jefferson and Madison had not been as active in their efforts as he had. Van Buren was the third and last incumbent of the Vice Presidency to be elected President.

Democratic calamity.—Hardly had Jackson returned to the Hermitage and left party affairs in the control of his successor, whose ability as a politician far exceeded his capacity as a statesman, than Van Buren was hard pressed. The panic of 1837 came as a result of over speculation. The specie circular of 1836, and the distribution of the surplus, beginning in 1837, forced a stringency of money. Van Buren was forced to call a special session of Congress in October 1837, to provide for treasury notes, so that the Government would have enough money to pay its expenses. The subtreasury bill finally was passed in 1840, creating five subtreasuries to pay out the public debt. This was passed over the opposition of the Whigs and the "locofocos" of the Democrats. It was repealed by the Whigs in 1841, but re-enacted in 1846, without the provision that Government debts had to be paid in specie.

The Democrats renominated Van Buren at a convention held at Baltimore in 1840, and determined to make no nomination for the Vice Presidency because several states had candidates. The party felt certain it could elect a Vice President if the choice fell to the Senate. The platform reaffirmed states' rights, denied the power of the Government to carry on internal improvements, or the power of Congress to charter a United States bank, or to interfere with questions of slavery. The Whigs previously had met at Harrisburg in 1839, full of hope of success. General Harrison was nominated for the Presidency instead of Clay, since the delegates felt that his two defeats would be held against him. Had he been nominated, undoubtedly he would have been elected, for he was the recognized leader of the party, and had led the fight against the principal policies of Jackson. John Tyler, a Clay delegate, was named for Vice President. He said a few days later: "I am a true and genuine Whig, and in the Capitol yonder I have shown my love of Whig principles."

The convention made no attempt to adopt a platform, since doing so might have alienated some of the support from the elements displeased with the Jackson-Van Buren regime. As a candidate, Tyler had much the same appeal to the masses as had Jackson. As Harrison was known as the hero of Tippecanoe, the campaign cry of "Tippecanoe and Tyler too" did much to place an enthusiastic support behind the Whig

ticket, with the result that Van Buren carried only New Hampshire, South Carolina, Alabama, Missouri, Arkansas, and Illinois, a total of 60 electoral votes against 234 which Harrison received.

Harrison died a month after his inauguration, and so when Congress met in special session in May, 1841, Tyler was in the White House. Clay, as party leader, felt himself responsible for a plan of action. Since the convention had adopted no platform, he introduced a series of resolutions providing for the repeal of the subtreasury law, the incorporation of a national bank, the imposition of higher tariff duties, and the distribution of the proceeds of the public lands. The subtreasury law, as indicated before, was abolished. The Whigs sent Tyler a bill establishing a national bank with branches, but this he vetoed and then when they attempted to meet his objections by establishing a fiscal corporation, he vetoed that too. Tyler had very strict ideas as to the interpretation of the Constitution, and these he could not reconcile with the Whig ideas for a new bank. His repudiation of party policies led Clay to secure action by a Whig caucus, announcing the severance of relations with Tyler. The members of the Cabinet resigned in protest, with the exception of Webster, who remained only long enough to complete treaty negotiations with England. Tyler accepted a bill to apportion the proceeds of land sales among the states in 1841, but in the following year accepted its repeal as a rider to the tariff of 1842, which was in effect a Whig measure, and which was necessary, since the act of 1833 was to expire by limitation on June 31. The new duties were about the same as they had been in 1832.

Texas and Oregon.—Tyler always had the support of a contingent of Virginians, and occasionally Benton, and Calhoun, who now was affiliated with the Democrats, aided him. Calhoun went into his Cabinet as Secretary of State before the end of the administration. He negotiated a treaty for the annexation of Texas, which was defeated when submitted to the Senate, largely because of the fear in the North that the South wanted the territory for an extension of slavery. Annexation, then, became the pet ambition of Tyler.

Tyler desired a second term, and for that purpose a convention of office holders was called at Baltimore, which re-

nominated him, but his case was hopeless for he had no party backing. It had been expected that Van Buren again would be the Democratic candidate and Clay, who had resigned from the Senate in 1842, would lead the Whigs. The Democrats were particularly hopeful, for they had secured a majority in the House at the election of 1842. When the convention met at Baltimore in May, Van Buren had a majority of the delegates, but a letter he had written in April in which he had expressed the opinion that annexation was inexpedient, led a bloc of delegates headed by Robert J. Walker of Mississippi, to hold out against his nomination, preventing his receiving the necessary two-thirds. Finally, James K. Polk, of Tennessee, former speaker of the House, received the nomination. George M. Dallas, of Pennsylvania, was nominated for Vice President when Senator Silas L. Wright of New York declined. Clay was nominated, as was expected, with Theodore Frelinghuysen, of New Jersey, for Vice President. Clay, in April, had declared his opposition to the annexation of Texas. The Whig platform declared for tariff for revenue only, but sufficient to protect domestic labor, a well regulated currency, and a single term for the Presidency. The Liberty party of Abolitionists had met at Buffalo, in 1843, and nominated Thomas Birney of New York for President and Thomas Morris of Ohio for Vice President. The convention's platform denounced slavery, bound Abolitionists to refuse to return fugitive slaves, denied the right of the Government to use militia to protect slavery, and urged the legislatures to forbid the transportation of fugitive slaves by their captors to their owners.

Coupled with the Texas question was that of Oregon, which was of immense value to Polk. The English had refused to accept our offer of the 49th parallel, and the West demanded all of Oregon with the slogan of "fifty-four forty or fight." The Democratic platform declared for the "reoccupation" of Oregon and the "re-annexation" of Texas. The Tyler administration supported the Democratic candidates. Clay was defeated because his position on Texas alienated Southern support, and Birney secured enough votes in New York, which otherwise would have gone to Clay, to give the state to Polk. Three days before his administration closed, Tyler signed the joint resolution providing for the annexation of Texas, and

later both England and the United States accepted the 49th parallel.

In 1846, the tariff act drawn by Secretary of the Treasury Walker, bearing his name, was passed. It was written largely in conformance with Southern ideas. Walker himself professed adherence to the ideals of free trade. This was truly a Democratic tariff law, and remained in effect until 1857, when a still lower reduction of duties was made, because of the abundance of revenue. The last named act was not a party measure.¹ It remained in force until changed by the Morrill act of 1861, a protectionist measure, which restored most of the rates of 1846 and made others higher.

The annexation of Texas was followed by the war with Mexico. The war was opposed by the Northern Whigs largely. The two principal generals, Zachary Taylor and Winfield Scott, were known as Whigs, and for a time Senator Benton was supported by many in his ambition to be appointed lieutenant-general so that a Democrat would be in command of the army there. The acquisition of the territory by the treaty of Guadeloupe Hidalgo, which closed the war, precipitated the slavery question in a new form, the Wilmot proviso, introduced by a Democratic representative from Pennsylvania, which would have prohibited slavery from the territory so acquired. It passed the House but was defeated in the Senate.

The Whigs nominated General Zachary Taylor, of Louisiana, for President, and Millard Fillmore of New York for Vice President, in 1848, at Philadelphia. Taylor had never voted, he was a second cousin of President Madison, and many of the Whigs feared they would have another Democrat on their hands if he were elected President. He stated his lack of opinion in political matters and that he would abide by the will of people, as expressed through Congress, on such questions as the tariff, internal improvements, and the currency. The Whigs presented no platform. The Democratic convention, which met earlier than the Whigs at Baltimore, was troubled by two factions which claimed to represent New York. The convention voted to seat both the "barnburners" and the "hunkers," each with half a vote. Both sides refused

¹ Taussig, *op. cit.*, pp. 114-115.

to participate in the proceedings, the "barnburners" openly withdrawing. The "barnburners" represented the faction favorable to the late Governor Silas Wright and Martin Van Buren. The "hunkers" represented the leadership of William L. Marcy. The "barnburners" announced they would not support General Lewis Cass, of Michigan, when he was made the nominee of the convention. General William O. Butler, of Kentucky, was nominated for Vice President. The platform again affirmed allegiance to the principles of states' rights, reiterated its position of 1844 on internal improvements, a United States bank, and slavery, upheld the pending Mexican treaty, and extended congratulations to the Republican movement in France. The "barnburners" held a convention at Utica, New York, in which delegates from New York, Massachusetts, and Ohio appeared and nominated Van Buren, who accepted with reluctance. Senator Henry Dodge of Wisconsin was nominated for Vice President, but declined and supported Cass. The platform denounced slavery, demanded cheaper postage, urged internal improvements by the Federal Government, and favored a protective tariff. An Ohio state convention called a meeting for Buffalo which nominated Van Buren, with Charles Francis Adams of Massachusetts for Vice President. It called itself the Free Soil party. John P. Hale of New Hampshire, who had been nominated by the Liberty party, withdrew in favor of Van Buren. The "barnburners" secured more votes for Van Buren in New York than Cass received, thus giving the state to Taylor, who thereby secured the election.

The Democrats retained control of the Senate throughout the Taylor-Fillmore administration, and had an actual majority in the House during the second half. In the first half, the Free Soilers held the balance of power in the House. Taylor perfected an organization, which met with the displeasure of Clay and Webster, but in which Fillmore and William H. Seward were influential. The principal question of the administration was the admission of California, and the organization of the territories in the area acquired, as a result of the treaty of 1848. Clay introduced his resolutions embodying the Compromise of 1850, in which he sought to secure the admission of California as a free state, the organization of the new territory without restriction as to slavery,

the establishment of the boundary between New Mexico and Texas, the assumption of the public debt of Texas by the United States, the retention of slavery and the abolition of the slave trade in the District of Columbia, the passage of a fugitive slave law, and the declaration by Congress of its lack of power to interfere in the slave trade between the states. The Whig caucus of 1851 endorsed the Compromise. The Democratic caucus did not approve it, but Marcy, Buchanan of Pennsylvania, Cass, and Douglas of Illinois, were in favor of it. Webster, who favored the Compromise, became Secretary of State under Fillmore, when Taylor died and thus brought administration support to the Compromise. Calhoun opposed it as being of insufficient protection to the South. Chase and Wade of Ohio, Sumner of Massachusetts, and Seward of New York were opposed to it and did not consider that it settled the slavery question.

The Democratic convention of 1852 met at Baltimore with Cass, Douglas, Buchanan, and Marcy all candidates for the Presidential nomination. Senator Franklin Pierce, of New Hampshire, a dark horse, was nominated for President and Senator William R. King, of Alabama, for Vice President. The convention endorsed the Compromise and opposed slavery agitation. The Whigs nominated General Winfield Scott of New Jersey for President, with William A. Graham, of North Carolina, for Vice President. The convention, by a vote of 4 to 1, endorsed the fugitive slave law to which there was much Northern opposition. The platform also stood by Washington's Farewell Address to keep out of permanent alliances with foreign countries. The Free Soilers nominated Hale for President, and George W. Julian of Indiana for Vice President, polling about 150,000 votes.

Pierce's nomination was popular, and even Webster advised his intimates to vote for him. The Whigs carried only four states, Kentucky, Massachusetts, Tennessee, and Vermont.

The Whigs succeeded in carrying but two Presidential elections, and only for the month that Harrison was President did they have a real Whig in the White House, with party majorities in both houses of Congress. Congress was not in session when Harrison was President. The election of 1852 proved that there was no further need for the Whig party.

The question of the creation of a territory of Nebraska

was the next slavery controversy before Congress, after the Compromise of 1850. Senator Atchison, of Missouri, led the fight against the creation of such a territory as free soil. Finally, Douglas brought in a bill creating two territories, Kansas and Nebraska, permitting the settlers to determine whether each was to be free soil or not when they entered the Union. It was expected that Kansas would be slave territory and Nebraska free. The Douglas bill passed in 1854, and with it a section specifically repealing the Missouri Compromise of 1820, by which slavery was prohibited above 36° 30' in the rest of the Louisiana Purchase. The anti-slavery people of the North regarded the provisions of the bill also as a violation of the Compromise of 1850.

The action of Ministers Buchanan, Mason, and Sole in issuing the Ostend Manifesto, in 1854, advising the acquisition of Cuba by the United States, and the later organization of filibustering expeditions in the South to carry out their suggestion, caused further accentuation of the anti-slavery sentiment.

New political groups.—In 1850 had appeared a group in the East whose purpose was to keep the foreign-born out of public office. Their doctrine was called native Americanism. In 1854, the organization was superseded by the Order of the United Americans, popularly known as the Know-Nothings. With the disintegration of the Whigs, numbers from that party joined that order, which elected local candidates in a few of the states, polled one-fourth of the vote in New York, and two-thirds in Massachusetts. Later, they called themselves Americans.

With the question of the organization of the territories of Kansas and Nebraska, three factions appeared in the Democratic party, the Southern extremists, the group influenced by Senator Douglas, who preached "popular sovereignty" but which was dubbed "squatter sovereignty" by its opponents, and the Anti-Nebraska Democrats.

The Republican party originated in 1854. A mass meeting at Ripon, Wisconsin, was followed by a mass state convention at Jackson, Michigan, and state conventions in Vermont, Wisconsin, Ohio, and Indiana. Opposition to the extension of slavery was the cardinal issue, holding together members who were former Northern Whigs, Free Soilers, and Anti-

Nebraska Democrats. Later, most of the Know-Nothings of the North were to enter the Republican party.

The House elected in 1854 was composed of over 100 Americans, 75 Democrats, 40 Republicans, and a number of Independents. After a struggle of two months, Nathaniel P. Banks of Massachusetts, Republican candidate, was elected Speaker. An attempt was made to fuse the Republican, Know-Nothings, and Southern Whig groups into a coalition against the Democrats for the campaign of 1856. But this could not be accomplished because of the question of slavery. The Republicans determined to hold a national convention of their own at a preliminary meeting in Pittsburgh in February. The convention met at Philadelphia in June, and nominated Colonel John C. Fremont, of California, for President. William L. Dayton was named for Vice President. Fremont was opposed to slavery in the territories. The platform opposed the repeal of the Missouri Compromise, favored admitting Kansas as a free state, denied the right of Congress to give legal existence to slavery, declared the right of Congress to prohibit polygamy, urged a railroad to the Pacific, and upheld liberty of conscience and equality of rights among citizens. The Know-Nothings, at Philadelphia, previously had nominated Fillmore for President, and Andrew J. Donaldson, of Tennessee, for Vice President. The platform said that "Americans must rule America." A residence of twenty-one years was urged for naturalization, opposition was expressed to a union of church and state, and repeal of the Missouri Compromise was disapproved. A seceding convention nominated Fremont, which made his choice all the more desirable by the Republicans. Former Governor William F. Johnson, of Pennsylvania, was named for Vice President. The Democratic convention met at Cincinnati with Pierce, Douglas, and James Buchanan, the principal candidates. Buchanan was nominated, with John C. Breckenridge, of Kentucky, for Vice President. The Democratic problem was to end the struggle over Kansas. The Senate had provided for a vote of the people of the territory, but the House Republicans held it up. Buchanan promised a fair vote in Kansas. The platform denounced "Know-Nothingism," expressed adherence to the Virginia and Kentucky resolutions, deplored interference by Congress as to slavery and resistance to law as to fugitive

slaves, with the prophecy that it would end in civil war, asserted the right of any state seeking to be admitted, to determine by vote the question of slavery within its quarters, declared for free seas, and progressive free trade throughout the world, and upheld the Monroe Doctrine and American ascendancy in the Gulf of Mexico. The Whig convention met at Baltimore and named Fillmore for President and Donaldson for Vice President. The Whigs pledged the party against geographic parties. The platform also deplored the slavery agitation, claiming that it was imperiling the Union.

Fillmore carried one state, Maryland. Fremont got all of New England and Iowa, Michigan, New York, Ohio, and Wisconsin. Buchanan carried the rest. The combined vote for Fremont and Fillmore greatly acceded that given Buchanan, because he held a large part of the former Whig strength in the South.

Slavery's last stand.—The Congressional elections of 1858 were influenced greatly by the decision of the Supreme Court in the Dred Scott case of 1857, handed down by Chief Justice Taney, in which Scott was denied citizenship in Missouri because he was a negro, and which denied the constitutionality of the Missouri Compromise, because it would have freed Scott when he moved to Minnesota. Another element was the unsuccessful attempt made to admit Kansas with the Leecompton slavery constitution.

In 1858 Douglas was a candidate for re-election in Illinois, and his Republican opponent was Abraham Lincoln. In the series of famous debates which these two men held throughout the state, Douglas committed himself in his speech at Freeport to the right of the people of a territory, through its legislature, to make the same free or slave by the local police regulations, regardless of the attitude of the Supreme Court. This stand secured Douglas' election to the Senate, even though Democrats of the state with pro-Southern sympathies voted for the Republican candidate for the legislature, but it alienated from him the Southern support for the Presidency.

The Republicans organized the House elected in 1858. Then John Brown's attempted invasion of the South, in 1859, further aroused anti-slavery sentiment in the North.

The Democratic national convention met in Charleston in April, 1860. The Douglas delegates, in the majority, rejected

the proposed platform which endorsed the doctrine of the Dred Scott decision, and substituted instead that of "popular sovereignty." Douglas could not secure the necessary two-thirds vote, and a session at Baltimore nominated him, with Senator Benjamin Fitzpatrick, of Alabama, for Vice President. Fitzpatrick declined, and the national committee named in his stead former Governor Herschel V. Johnson, of Georgia. Seceding delegates joined others who had been at the Charleston convention, and nominated Vice President Breckenridge for President, and Joseph Lane, of Oregon, for Vice President. The Breckenridge convention adopted the proposed platform of the committee at Charleston, and his candidacy was supported during the campaign by President Buchanan. Both Democratic platforms favored the purchase of Cuba and a Pacific railroad. The Douglas platform deplored interference with the Fugitive Slave Law. The Constitutional Union party, composed of remnants of the Whig party, also met at Baltimore in May and nominated John Bell, of Tennessee, for President and Edward Everett, of Massachusetts, for Vice President. The platform spoke only for the Constitution, the Union, and law enforcement. The Republican convention met in Chicago in May. Seward, Lincoln, Simon Cameron, of Pennsylvania, Chase, and Bates of Missouri were the leading candidates, and Lincoln was nominated for President with Hannibal Hamlin, of Maine, for Vice President. Most of the old Whig leaders were members of the convention. The Republicans vigorously opposed the extension of slavery. The platform also denounced the Lecompton (proslavery Kansas) constitution, spoke for a tariff for revenue and to promote industrial development, opposed restriction of immigration and naturalization, favored river and harbor appropriations and the Pacific railroad. The Douglas and Breckenridge parties placed fusion tickets for Presidential electors in New York, New Jersey, Pennsylvania, and Rhode Island. As a practical proposition the contest actually was between Lincoln and Lane, since the sole hope to defeat Lincoln was for no one to secure a majority in the electoral college, when the election for President would have been thrown into the House, where no one could have secured a majority of the state delegations. Then, as between Lane and Hamlin, the Senate, being Democratic, would have chosen Lane who

then would have succeeded to the Presidency. Douglas carried only Missouri and a part of the electoral ticket of New Jersey; Bell got Kentucky, Tennessee and Virginia. Breckenridge carried the other Southern and border states, and Lincoln got the rest. Lincoln was first in the popular vote, Douglas second, and Breckenridge third. Lincoln was decisively a minority President.

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Questions

1. How did candidates announce their affiliations at the time of Jackson's election?
2. What became of the remnants of the Federalist party in New England?
3. Did the Democrats alone claim to be the political descendants of Jefferson?

82 PARTY PRINCIPLES AND PRACTICAL POLITICS

4. In what respects did the Jacksonian era usher in the power of the people?
5. In what sense did the period change the organization of the party?
6. Was the Jackson administration an "era of good feeling"?
7. What was the "kitchen cabinet"?
8. What did Jackson's opponents first call themselves?
9. Was Jackson's position similar to Jefferson's on internal improvements?
10. What woman played an important role in influencing politics under Jackson and what man benefited principally as a result?
11. What was the position of Calhoun on the Tariff?
12. What was the "American system"?
13. Was Jackson's position on the Bank consistent with Jefferson's?
14. What was Jackson's attitude toward a second term?
15. Whom did Jackson decide was to be his successor and what steps did he take for consummating his object?
16. Who was Jackson's principal opponent in 1832?
17. What part did the Anti-Masonic party play in the campaign of 1832?
18. What was Clay's principal issue against Jackson?
19. Was Jackson as sympathetic with France as Jefferson?
20. Who composed the Whig party when organized?
21. What were the results of the election of 1836?
22. What was the principal difficulty of Van Buren's administration?
23. What was the subtreasury bill?
24. Who were the candidates of 1840?
25. Why did not the Whigs adopt a platform in 1840?
26. When Harrison died did Tyler become the party leader?
27. How did Tyler differ from the Whigs on legislative matters?
28. What was Tyler's position in the campaign of 1844?
29. Why was Van Buren defeated for the nomination in 1844?
30. Why was Clay defeated in 1844?
31. Who were the Democratic candidates in 1844 and what was their campaign cry?
32. What was the name of the tariff of 1846 and what were its principles?
33. What was the Wilmot proviso?
34. Who were the "hunkers" and the "barnburners"?
35. What part did the "barnburners" play in the campaign of 1848?
36. Who were the Democratic and Whig candidates in 1848?
37. Did the Whigs have control of Congress during the Taylor-Fillmore administration?
38. What were the provisions of the Compromise of 1850?

39. What were the party positions toward the Compromise of 1850?
40. Who were the candidates of the Democrats and Whigs in 1852?
41. Did the Democrats have a hard fight?
42. What slavery issue was before Congress after the Compromise of 1850?
43. What caused further accessions to the anti-slavery group?
44. Who were the Know-Nothings?
45. Into what factions did the Democratic party divide on the Kansas-Nebraska bill?
46. When and where did the Republican party originate?
47. Who was the first Republican Presidential candidate?
48. What was the position of the Republican platform on slavery in 1856?
49. Who were the other Presidential candidates in 1856?
50. What states did Fremont carry?
51. What elements influenced the Congressional elections of 1858?
52. What was the Freeport doctrine?
53. Who were the Presidential candidates of 1860?
54. Did the Douglas and Breckenridge Democrats unite in any states?
55. What was the sole hope to defeat Lincoln?
56. What support did Lincoln get?

CHAPTER VII

WAR AND RADICAL REPUBLICANISM

War alignments.—When Lincoln took office in 1861, he selected a Cabinet composed entirely of Republicans, three of whom had been Whigs and four Democrats. Because of the withdrawal of most of the members from the South when the eleven states seceded, the Republicans had safe majorities in both houses of Congress. The party, therefore, had ample opportunity to formulate policies and execute them, so far as opposition outside of the party was concerned. The Democrats of the non-seceding states were divided into classes. The war Democrats were such men as Senator Douglas, Senator Andrew Johnson of Tennessee, who kept his seat even when his state withdrew, and former Governor Horatio Seymour, of New York, who was to be elected to his former position in 1862. The war Democrats were somewhat divided in the positions they took. Senator Douglas seemed headed toward the Republican party when he died. Senator Johnson affiliated himself with the Republicans. Governor Seymour criticized the alleged lack of vigor on the part of the administration, but did all that he could to assist in prosecuting the war to a successful conclusion, such as assisting in quelling the New York City draft riots. These men were typical of the different attitudes found in the rank and file of the party. The other class, known as peace Democrats, did not always operate so openly. Representative Clement L. Vallandigham, of Ohio, was the foremost of the group. They professed love for the Union but wanted the war ended as soon as possible, with the peaceful return of the seceded states. They were termed "copperheads" by the war supporters.

The first big test of its strength that the Republican party was to have came in the Congressional elections of 1862. Ohio, Indiana, and Illinois, in which there were many copper-

heads, went Democratic, as did New York. The Federal troops had exercised their influence at the polls of the border states of Missouri, Kentucky, and Maryland, and these states sent enough Republicans to the House to enable the party to continue in control. The state elections, including that of Ohio, where Vallandigham was running for governor, in 1863, were more favorable to Republican success, owing largely to the victory of Gettysburg and the surrender of Vicksburg. The following winter, eventual Union success did not seem certain, and elements of the Republican party thought it would be well to choose a new leader. General Fremont, Secretary of the Treasury Chase, General Benjamin F. Butler, and General Ulysses S. Grant all were considered. Chase was abandoned when the Ohio Republicans endorsed Lincoln, but a mass meeting was held at Cleveland in May, 1864, at which General Fremont was named for the Presidency. General John Cochrane, of New York, was named for Vice President. Both accepted. The platform urged direct election of President and Vice President, confiscation of rebel lands and distribution among soldiers and settlers, fight to a finish, and a Constitutional amendment against slavery. The call for the more regular national Republican convention was worded similarly to those for many of the state conventions, inviting participation by all, regardless of former political affiliations, who desired the maintenance of the Union. It met at Baltimore in June, and Lincoln received all of the votes on the first ballot, except Missouri which voted for Grant. The nomination then was made unanimous. In order to demonstrate the non-partisan character of the ticket, former Senator Johnson, now military governor of Tennessee, was named for Vice President. The platform urged fighting the Confederacy to a finish, demanded an anti-slavery amendment to the Constitution, approved the Emancipation Proclamation and the use of ex-slaves as soldiers, called for more immigration, and a Pacific railroad, and sustained the Monroe Doctrine. The Democratic convention met at Chicago in August. The convention, under the influence of Vallandigham, denounced the war as a failure and unnecessary, and then nominated General George B. McClellan, of New Jersey, for President, and Representative "Gentleman George" H. Pendleton, of Ohio, for Vice President. McClellan, in his letter of acceptance,

pledged a vigorous prosecution of the war. The platform kept the peace Democrats in line and the nomination those war Democrats who already were not acting with the Republicans. The platform also denounced the use of Federal troops in the elections in the border states, and accused the Government of neglect of prisoners of war. The military and naval achievements of General Sherman and Admiral Farragut grasped victory from defeat for Lincoln, and the ticket of Fremont and Cochrane withdrew. The Democrats carried only Delaware, Kentucky, and New Jersey. The seceded states had not voted. The Union ticket got the rest. Tennessee and Louisiana chose electors, but the "twenty-second joint rule" was hastily adopted by both houses, and these states were not allowed to have their votes counted. The rule provided that the vote of no state should be counted where its validity was challenged, unless both houses agreed to it. This was the forerunner of Congressional Reconstruction.

Realignment under Johnson.—When Lincoln was assassinated in April, 1865, the radical Republicans in Congress thought their troubles with the executive were at an end and that they would have no difficulty in dictating the terms of reconstruction to the Unionist Johnson, acquiescent in their designs. They mistook the character of Johnson. He was by conviction a state's-rights Democrat. He opposed the secession of his home state because he believed the aristocracy of the South, and not the masses, engineered the movement to form the Confederacy. Like many of the "poor white" element in the South he had an intense dislike for the negro which the aristocracy did not hold. He favored neither civil rights nor suffrage for the negro as Federal measures. Himself a Southerner, trouble was to be encountered soon, and the Democrats, through the force of circumstances and sympathy with their fellow partisans in the South, were to be the chief supporters of Johnson in his fight with Thaddeus Stevens, General Benjamin F. Butler, Charles Sumner, and the other radical Republican leaders in opposition. Johnson was a Democratic United States senator at the time of his death.

When Congress met in December, 1865, the governments of the Southern states had been reorganized under Johnson's direction. The representatives and senators from the reor-

ganized states were refused admission. In February, 1866, Johnson vetoed a bill for greater powers for the Freedmen's bureau. Congress then passed a bill declaring the freedmen citizens, but not giving them the ballot. The measure was enacted over Johnson's veto. Then, in July, it was voted to receive one Southern state under the Congressional plan. In August, 1866, in preparation for the Congressional campaign, the Democrats called a Union convention for Philadelphia. Johnson's reconstruction plans were endorsed. The division between the Republicans and Democrats during the campaign was over the kind of reconstruction. Johnson made a tour in behalf of his plan. The Democrats gained six members of the House, but the Republicans held more than two-thirds of the members in both branches of Congress. The party alignment again was Republican and Democratic. The Reconstruction acts were carried over the Presidential veto. Johnson attempted to remove Republicans from office and replace them with Democrats. Then the Tenure of Office act was passed to secure for the Senate consent in such cases. The attempted removal of Secretary of War Stanton, in disregard of this statute, was the climax in Johnson's fight, and brought about his impeachment. Johnson was acquitted only because he secured enough Republican votes in the Senate to stand with the solid Democratic minority and thus prevent the necessary two-thirds. The Republican convention met at Chicago in May, 1868, and nominated Grant, who had voted for Breckenridge in 1860, unanimously on the first ballot. Schuyler Colfax of Indiana was named for Vice President. The platform denounced President Johnson; praised Reconstruction; denied the right of Great Britain or other foreign nations to reclaim citizens naturalized in the United States; called for more immigration; urged pensions; and favored removal of disqualifications on Confederates. The Democrats met at Tammany Hall in New York in July. Former Governor Seymour was chairman of the convention, and although he declined to become a candidate, the nomination was forced on him after a deadlock. Johnson had received 65 votes on the first ballot, but these were more complimentary than serious. Former Representative Francis P. Blair, Jr., of New York, was named for Vice President. The platform endorsed the Ohio greenback idea but this plank was repudi-

ated by Seymour. It also demanded immediate restoration to all of the states of their rights, amnesty for past political offenses, payment of the public debt, equal taxation, economy and the abolition of the Freedmen's bureau, and protection of naturalized citizens. The platform praised President Johnson's resistance to Congressional Reconstruction. Reconstruction gave the South, with the exception of Delaware, Maryland, Kentucky, Georgia, and Louisiana, to the Republicans, and thus Grant won the election. Both houses of Congress were to remain overwhelmingly Republican.

Grant's policies.—President Grant acquiesced in the Reconstruction policies of the Congressional leaders. Had not the feeling been that he would, he never would have been nominated. Reconstruction on the Congressional terms was completed before Grant's first term was half over, and all of the Southern states again were represented in Congress. The Republican leaders hoped to maintain national ascendancy indefinitely by the aid of the votes of the Southern states, where "carpet baggers" and "scalawags" were lining up the votes of the freedmen in behalf of candidates of their party. The candidates for office, in opposition to the Republicans in the South, generally termed themselves as "conservatives," since reference frequently was made to the Republican leadership in Congress as being "radical."

The issues during Grant's first term, other than those of Reconstruction, were not of fundamental importance. Grant sought to bring about the annexation of Santo Domingo, but failed largely because he alienated the support of Horace Greeley, of the New York Tribune, and Senator Charles Sumner of Massachusetts. A law was passed providing for the payment of the interest on Government bonds in coin, and the early resumption of specie payments. This met with little opposition at the time, but the financial system of the national banks was attacked.

In 1870, a revolt against the administration began among Missouri Republicans. Liberal Republicans united with Democrats and carried the state election that year. A national convention, at the instigation of the Missouri faction, was called to meet in Cincinnati, in May, 1872. Greeley was nominated for President and B. Gratz Brown of Missouri for Vice President. While many members of the convention were

free traders, a protective tariff plank was adopted at Greeley's request. The platform largely was an arraignment of Grant's conduct of office and his attitude toward the states lately in rebellion. It demanded political amnesty, political equality, restoration of habeas corpus, civil service reform, revenue tariff, return to specie payments, and no land grants to railroads. The Republicans met at Philadelphia in June and renominated Grant, but substituted Henry Wilson of Massachusetts as Vice Presidential candidate in place of Colfax. The platform opposed railroad land grants, urged a protective tariff and the abolition of the franking privileges, and approved political amnesty. The Democrats met at Baltimore in July, hoping for success, and without enthusiasm they accepted the Greeley ticket and platform. A "straight" Democratic convention met in September at Louisville, and nominated Charles O'Connor for President, and John Quincy Adams of Massachusetts for Vice President. Both declined the nominations. The Labor Reform party nominated O'Connor for President. The Prohibitionists placed their first national ticket in the field. Greeley made a stumping tour of the country, but his candidacy aroused little enthusiasm. Brilliant as he was, he was not considered of executive temperament. He died shortly after the election, in which his ticket carried only seven Southern states, counting Louisiana, where two sets of electors were certified, both being rejected by Congress. Congress remained overwhelmingly Republican.

"There is a silver lining to every dark cloud" and that applied to the Democrats after their defeat of 1872. Many war Democrats, who had been acting with the Republicans, began to feel that the attitude of the Grant administration toward the South was too harsh. They began to return to the party of their former allegiance. The Republican governments in the South were ignorant and corrupt. The country experienced one of the most severe panics in its history, in 1873, and the party in power always suffers in such a crisis. Then, many members of the Grant administration were involved in corruption, some being members of a "whiskey ring." The Democrats secured a majority of 70 in the House, at the elections in 1874, and the Republican majority in the Senate was reduced. Even Butler lost his seat from Massachusetts. At the same time, Samuel J. Tilden, wealthy reformer, who had

sworn out the warrant for the arrest of Tammany's corrupt leader, Boss Tweed, became Democratic governor of New York. The Democrats were exceedingly hopeful of success in the Presidential election in 1876, since the Southern states were indicating signs of being solidly Democratic. Grant was supposed to have third term aspirations, but a resolution passed by the House, in 1875, declared the opposition of that body to a violation of the two-term principle, by a vote of 234 to 18. Seventy of the 88 Republicans voted in favor of it.

The contested election.—The Republicans met at Cincinnati in June, 1876. James G. Blaine might have had the nomination had it not been for charges that had been made relative to the sale of railroad stocks, which reflected on his honesty. The party wisely nominated Governor Rutherford B. Hayes, of Ohio, who had not been associated with the administration in Washington and thus was not subject to the attacks made against it. Representative William A. Wheeler, of New York, was named for Vice President. The principal platform demands were progress to specie payment, a Constitutional amendment forbidding the payment of public funds to sectarian schools or institutions, a tariff for revenue and labor protection, inquiry into Chinese immigration, limited equal suffrage by state laws, extirpation of polygamy, and efficiency in public appointments. The Democrats met at St. Louis, and nominated Governor Tilden for President and former Governor Thomas A. Hendricks, of Indiana, for Vice President. The platform denounced the existing tariff, Chinese immigration, railroad land grants, and high taxes; and demanded currency and civil service reform and economy. The Greenback party nominated Peter Cooper, of New York, for President and General Samuel F. Cary, of Ohio, for Vice President. The platform demanded the repeal of the specie-resumption act of 1875, and the stoppage of gold bond issues. On the morning of November 8, the day after the election, it seemed probable that Tilden had been elected. He had carried Connecticut, New York, New Jersey, and Indiana. Later, it appeared that Tilden had 184 undisputed votes and Hayes had 165. The votes of South Carolina, Florida, and Louisiana and one elector from Oregon were in doubt. Both sides claimed the victory, Tilden needed but one more electoral vote, and Hayes all of those in dispute. Tilden's popular plurality

was over 250,000. Fortunately for the Republicans, the Republican Senate had withdrawn early in 1876 its acquiescence in the twenty-second rule, and thus the votes of these states could not be rejected. Finally, both sides agreed to the appointment of an electoral commission, to be composed of five members each from the House, the Senate, and the Supreme Court. The House being Democratic, three of the five from that body were Democrats. The Senate being Republican, that party had three of its five. From the Supreme Court it was proposed to name Justices Field and Clifford, Democrats, and Justices Miller and Strong, Republicans. It was expected that they would choose as their fifth and the fifteenth member an independent, Justice David Davis, but he was elected by the Democrats and independents of the Illinois legislature to the United States Senate and he refused to serve on the commission. Then Justice Bradley, a Republican, was named, giving that party eight members to seven for the Democrats.

Undoubtedly, in the three Southern states, the Democrats had intimidated negroes to remain from the polls, and the Republicans had fraudulently registered many. In Florida there was a board of canvassers composed of two Republicans and one Democrat which had the power to exclude false or fraudulent votes. The Democrats claimed a majority of 90, the Republicans of 45. The board went over the returns and threw out enough to make a Republican majority of 924. Thereupon they sent Republican electoral votes to Washington, but the Democratic governor certified Democratic returns. By a partisan vote, 8 to 7, the commission gave the state to Hayes. In Louisiana, Tilden's electors, on the face of the returns, had received majorities varying from 6,000 to 9,000. A board of canvassers there was composed of four Republicans, three of whom were of low character. The Democrats were offered the vote of the state, first for \$1,000,000 and then for \$200,000, but did not take it. The board then threw out enough votes, acting in secret session, to give the state to Hayes. Both sets of electors sent returns to Washington. Here, as in Florida, Hayes got the state by a party vote of 8 to 7. In Oregon, where an assistant postmaster was chosen elector, in violation of the Constitution, as the Democrats charged, the Democratic governor gave the highest Democratic candidate for elector a certificate. All sent in returns.

The commission decided unanimously in favor of the Republican electors. In South Carolina, too, the commission unanimously rejected the Tilden electors and gave the state to Hayes.

Hayes had been elected President as a result of the radical Reconstruction program which his party had imposed upon the South. His election was the last of a Republican President to be achieved by electoral votes from the states formerly in rebellion and in the future his party had to depend upon the East, North, and West for success at the polls.

Tariff changes.—Hardly had the Morrill tariff act of 1861 been passed when Fort Sumter was fired upon. Twice more during 1861 additional levies were made and increases were made almost every month that Congress was in session, since the need for revenues was pressing. In 1862, a series of internal excise taxes was levied, and, in order to offset this, a general tariff act was passed the same year, which contained protective features. The domestic producers were afforded relief from the internal taxes they had to pay. Such relief was explained as the object of the tariff, and without it, the bill could not have passed. A new revenue act, in 1864, was followed by a new tariff act the same year which, like that of 1862, was sponsored by Chairman Morrill of the House ways and means committee. The object of the tariff of 1864 was the same as that of 1862, to compensate the domestic producer for the internal taxes he had to pay as a result of the preceding tax acts. The average rate under the act of 1862 was 37.2 per cent, under that of 1864 it was 47.02 per cent.¹

When the war ended, the internal taxes were unpopular, and between 1866 and 1872 Congress abolished all of those which had been levied preceding the passage of the protective tariff laws under Morrill's direction. Schemes for reduction and reform were brought forward but none carried out. A considerable element of the liberal Republicans, in 1872, wanted the protective tariff abolished. Commissioner David A. Wells favored a reduction in 1867, and the House passed at the same time a bill for a general increase, but the Senate did not act upon it and a bill which Wells had prepared to carry out his ideas, with the approval of Secretary of the Treasury McCulloch, and which would have eliminated perni-

¹ Taussig, *op. cit.*, pp. 158-160.

cious protective duties, was substituted by the Senate. The House could not muster the two-thirds vote necessary under its rules to take up the bill, and thus it failed of passage. At this time, then, the Republican party was not the committed protective tariff party that it later became. The next step taken was the act of 1870, passed upon the demand of Republicans and Democrats alike from the West. The reductions it made, with one exception, however, were on revenue rather than protective schedules, and increases were made on many protected articles. In 1872, the manufacturing interests of the country were well organized, and when a superabundance of revenue made it necessary for Congress to reduce duties, they accepted a general 10 per cent reduction on the great protected industries, rather than a more drastic reduction plan that had been originated in the House. Reductions also were made on the revenue schedules of tea and coffee, which made it seem unwarranted to make any further cuts in the protected schedules. Both free traders and protectionists were satisfied, but the latter had won a real victory in the tariff policy of the country.²

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² Ibid, pp. 161-189.

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Questions

1. What party controlled Congress when Lincoln took office?
2. Into what factions were the Democrats divided during the Civil War?
3. What were the results of the Congressional elections of 1862?
4. Who was Clement L. Vallandigham?
5. What candidates were nominated by the Republican mass meeting at Cleveland in 1864?
6. What were the features of the Republican convention of 1864?
7. What action was taken by the Democratic convention which held both factions in line?
8. What became of the candidacies of the Cleveland mass meeting?
9. What support did McClellan get at the polls?
10. What did the Radical Republicans think would be the relation between Congress and the Executive when Lincoln was assassinated?
11. What political realignment came about under Johnson?
12. On what matters did Johnson differ with the Radical leaders?
13. Why was Johnson acquitted of the impeachment charges?
14. Who were the Republican and Democratic candidates in 1868?
15. Who won in 1868 and why?
16. What attitude did the platforms take toward Johnson in 1868?
17. What was Grant's attitude toward Congressional Reconstruction?
18. What was the inception of the Liberal Republican movement?
19. What was the extent of the Liberal Republican movement in 1872?
20. What was the result of the election of 1872?
21. What influences were at work which lessened the popularity of the Grant administration?
22. Who were the major party candidates in 1876?
23. In what states were there disputed returns?
24. How many electoral votes in addition to those uncontested did Tilden need for election?
25. How was the Electoral Commission constituted?
26. How did the Electoral Commission decide?
27. What had been the tariff policy of the Republicans since 1861?
28. What was the attitude of the Liberal Republicans toward the tariff?
29. Altogether in the period who had won the most points, the protectionists or the free traders?

CHAPTER VIII

CLOSE DIVISION AND CONFUSION

New issues arise.—The Republican party had one principal mission to perform, regardless of the intentions of its founders, and that was the freeing of the slaves. Any other method of disposing of that question would not have been permanent, as the compromises before the Civil War proved. With the disposition of the slavery question, the party was forced to conduct a civil war and consummate reconstruction. The withdrawal of the troops from the South, following the accession of Hayes, and the passing of control of the Southern states into the hands of the Democrats, who were aided by former Whigs in that section, definitely ended the Era of Reconstruction.

The political issues arising from the Civil War thus settled, the period extending from Hayes' inauguration to the election of 1896 largely was one in which the two major parties were not clearly divided on questions of the day, and made easy the rise of the Greenback and Populist elements to give expression to the economic and political aspirations of discontent of many people in the West and some in the South.

Aftermath of contested election.—The Democrats in Congress were convinced that Tilden had been deprived of an election to which he was entitled, and they caused the appointment of the Potter committee by the House, to investigate the title of Hayes with the idea of discrediting him and carrying the Presidential election of 1880. There were majority and minority reports, the Democrats asserting and the Republicans denying the invalidity of Hayes' title. Then the Republican Senate secured the telegrams sent by both parties during the campaign, conveniently lost those sent by the Republicans, and made public translations of cipher methods which indicated that the Democrats, through Tilden's nephew, had of-

ferred a substantial bribe for the vote of an Oregon elector. Hayes gave appointments to office to members of the returning boards who had voted for him. In the Congress elected in 1878, which the Democrats controlled in both branches, the President vetoed several appropriation bills containing riders intended to prevent the employment of marshals and their deputies at the polls. On the whole, the Democrats probably lost ground by the investigations, for the Republican ranks were solidified and the attempts to make the question an issue in 1880 probably brought no votes to the Democratic nominees.

Monetary question acute.—In 1875, because of the hard times following the panic of 1873, a group of men seceded from both parties and urged fiat money. The West was in debt to the Eastern lenders of money, for the development of their farming possibilities, and the South, for necessary repairs following the war. Having used to advantage the cheap Western and Southwestern bank notes following the Civil War, they were pleased to use greenbacks, which, at the time, were only slightly below par. If more of these greenbacks could be printed, it would be easier for them to discharge their obligations. This feeling prevailed in both of the major parties in the South and West, and the secessions from the party ranks were by men who felt the older organizations subservient to the bond holders who naturally opposed more greenbacks. It was this Greenback group that nominated Cooper for President in 1876.

The first of three movements for the free coinage of silver came in 1878, when Congress passed a Senate substitute offered by Senator Allison, Republican, of Iowa, for a House bill by Representative Bland, of Missouri. Bland, a Democrat, proposed, and the House accepted, a bill supported by the Democrats and Western Republicans advocating the free and unlimited coinage of silver dollars weighing $412\frac{1}{2}$ grains, at the ratio with gold of 15.62 to 1, silver bullion then selling at 90. The Senate compromise, which was made because the Republicans feared to reject the bill outright, omitted free and unlimited coinage, but authorized the Secretary of the Treasury to purchase monthly for coinage into silver dollars, exclusive of coinage already issued, from \$2,000,000 to \$4,000,000 of silver, with the limitation on the amount in-

vested at one time in silver as \$5,000,000. Bland accepted the compromise reluctantly. Revived prosperity deferred Bland's attempt to force through his original plan.

Stalwarts and half-breeds.—During the Hayes administration, party leaders were divided somewhat into two factions in the Republican organization, known as "stalwarts" and "half-breeds." Senators Morton, Simon Cameron, and Zach Chandler of Michigan, who had the same animosity for the South as Stevens and Butler, were chagrined because Hayes abandoned the reconstruction policy of the former party leaders. They openly expressed contempt for the President and his independent supporters, and called them "half-breeds," taking the term of "stalwarts" for themselves. At first Blaine acted with the "stalwarts," but later left them when they were disposed to support Senator Roscoe Conkling of New York.

Republican revival.—General Grant was the leading contender for the nomination when the Republicans assembled at Chicago, in June, 1880, with Blaine a close second. Senator-elect James A. Garfield of Ohio appeared as the convention manager of the forces supporting Senator John Sherman of the same state. The supporters of Grant and Blaine were in a futile deadlock, but finally it was broken by General Garfield's nomination. Chester A. Arthur, formerly collector of the port of New York, and a Conkling supporter, was nominated for Vice President. The platform demanded a Constitutional amendment forbidding public funds to sectarian schools, a tariff for revenue and protection, no more railroad or corporation land grants, no more polygamy, no more ship subsidies, and restriction of Chinese immigration. The "Solid South" was called a menace. The Greenback convention met at Chicago in the same month and nominated General James B. Weaver, representative in Congress from Iowa, for President, and B. J. Chambers of Texas for Vice President. The platform urged various currency, labor, and immigration reforms, denounced land grants and monopolies, and demanded a graduated tax on incomes. The Democrats met at Cincinnati also in June, and nominated General Hancock for President. Former Representative William H. English, of Indiana, was named for Vice President. The platform condemned sumptuary laws, expressed opposition to any union of church and state, urged "home rule, honest money, and a tariff for

revenue only," favored subordination of military to civil power, favored free ships, demanded Chinese exclusion, promised protection to labor, and denounced the award of the Presidency to Hayes over Tilden by the electoral commission.

During the campaign. General Hancock was ridiculed for his statement that "the tariff was a local issue." The state of California was lost to Garfield because of the circulation of a cleverly forged letter there, pretending to express his opposition to Chinese exclusion. Garfield was attacked because of the allegation that he had received a bribe of \$329 for his connection with the Credit Mobilier scandal, but not many believed in his guilt. While Garfield's popular plurality was less than 10,000, his majority in the electoral college was large. Hancock carried only the Southern and border states, Nevada and New Jersey, and five of the six electors in California. Weaver received a total of 307,306 votes.

Garfield's administration was brief, but before he was succeeded by Arthur on September 19, 1881, he had a fight over patronage with the stalwart senators from New York, Conkling and "Me Too" Platt, who resigned and were refused reelection by their legislature which they hoped would sustain them. Arthur, who had been known principally as a practical politician in New York, accepted the responsibilities of the Presidency with great seriousness. He urged, in 1881, a reduction of the internal revenue taxes and the revision of the tariff because of the surplus for the year of \$100,000,000. Congress authorized the appointment of a tariff commission and all of its members (nine) named by Arthur were protectionists. This commission recommended reductions varying from nothing to 50 per cent, with an average of between 20 and 25 per cent. The Senate passed tariff reductions by adding them to a House measure for internal revenue reductions, and the matter then went to the House. The duties were lower than the protectionist members desired and so, under the leadership of Thomas B. Reed, the bill was referred to a conference committee having seven strong protectionists in its membership of ten. Reed did this in the face of the almost general Democratic opposition to the prevailing high rates. The product of the conference was a bill which lowered the internal revenue taxes but left the general tariff level at about the point where it had been, raising some schedules and lower-

ing others. A strong lobby of protectionists had worked effectively.

The elections of 1882 had been encouraging to the Democrats. They had not only retained control of the House, but had elected Grover Cleveland, mayor of Buffalo, as governor of New York by a majority of about 190,000, and Robert E. Pattison, a reformer, governor of Pennsylvania. In Massachusetts, "Ben" Butler, who once had been defeated as the Republican nominee for governor, was chosen to that office by a combination of Greenbackers and Democrats. Butler was defeated when he ran for re-election in 1883, and the Republicans retrieved part of their losses elsewhere, but it was obvious that the political division in the country was close and that the Democrats had a good chance to elect a President.

Democratic success.—Arthur was desirous of a nomination for a full term, in 1884, but at last had come the time for the "plumed knight," Blaine, to receive the honor. The Republican convention met at Chicago in June and nominated Blaine for President and General John A. Logan, of Illinois, as a bid for the soldier vote, for Vice President. The nomination was disgusting to the independent Republican element, including such men as George William Curtis, General Carl Schurz, and Henry Ward Beecher, who supported the Democratic ticket. They were derisively termed "mugwumps." The Republican platform pledged a tariff for protection of industry, a gold standard, Federal regulation of transportation rates, a national labor bureau, no Chinese or contract immigration, civil service reform, no large grants to railroads or corporations, and a merchant marine. The Democrats met at Chicago during the same month and nominated Governor Cleveland for President; while former Governor Hendricks again was given the Vice Presidential nomination. The platform denounced the Republican party as a "reminiscence, wasteful and busy with enrichment" and demanded Pan-Americanism, the gold standard, no land grants to railroads, corporations, or alien absentees, no Chinese immigration, protection of American citizens everywhere, a merchant marine, Mississippi River improvement, and a tariff for revenue only. General Butler was placed in nomination by two groups, the anti-monopoly party and also the Greenbackers. He polled less than half of the votes that Weaver got in 1880. The Green-

backers were beginning to disintegrate, and had fused with the Democrats in a number of states. Fusion with the Democrats, historically, has meant that the party so associating passes out of existence. An interesting nomination was that of Mrs. Belva A. Lockwood of Washington, D. C., for President by the Equal Rights Convention. She received a similar nomination four years later. Two Prohibition parties made nominations.

A great many independent Republican voters throughout the country doubted Blaine's honesty and supported Cleveland. Burchard's famous charge that "Rum, Romanism, and Rebellion" were supporting Cleveland possibly alienated Blaine support in New York. The election depended on New York, which Cleveland carried by 1,149 votes. It is possible that the Prohibition party vote was taken from Blaine in that state and promoted Cleveland's chances. Cleveland also carried Connecticut, Indiana, New Jersey, and the Southern and border states.

Tariff as the principal issue.—Representative William R. Morrison of Illinois had introduced in the House a tariff bill providing for considerable additions to the free list, and horizontal reductions on all other duties, as levied under the act of 1883. It was defeated in 1886 by four votes, those in opposition being substantially all of the Republicans and forty-one Democrats, principally from New York, New Jersey, Pennsylvania, and Ohio. The Democratic tariff plank of 1884 was not as direct as possible, but Cleveland's election and the choice of another Democratic House gave Morrison another opportunity to attempt reduction, but again he was defeated by the Protectionists in the Democratic party, led by Samuel J. Randall of Pennsylvania. In 1887, Cleveland in his annual message to Congress urged a reduction in the tariff because of the surplus income over expenditure. He denounced a system of "unnecessary taxation" as "vicious, inequitable and illogical." He said: "Our progress toward a wise conclusion will not be improved by dwelling upon the theories of protection and free trade. This savors too much of bandying epithets. It is a condition which confronts us, not a theory." Cleveland then announced the tariff policy of his party, which was to cause both Republicans and Democrats generally to align themselves, respectively, as advocates of protection and

of tariff for revenue. In so doing, he was in a large measure reverting to the tariff policy advocated by the Southern members of the Democratic party in the period immediately preceding the Civil War. The Mills bill in the House was the answer to Cleveland's recommendations. Representative Roger Q. Mills, of Texas, and Speaker John G. Carlisle, of Kentucky, led the fight for the Democrats, and Representatives William McKinley, of Ohio, and Thomas B. Reed, of Maine, for the Republicans. The bill passed the House with but four Democratic votes in the opposition. The Republicans defeated it in the Senate.

While Governor David B. Hill, of New York, had aspirations to succeed Cleveland, the commitment by the President on the tariff issue made certain his renomination by the Democratic convention when it met at St. Louis in June, 1888. Former Senator Allan G. Thurman, of Ohio, was named for Vice President. The platform accepted Cleveland's position on the tariff as orthodox party doctrine and pledged economy in government, and admission into the Union of Dakota, Montana, New Mexico and Washington, and expressed sympathy for Ireland and Home Rule. The Republicans met at Chicago during the same month and Blaine, having declared that he was not a candidate, former Senator Benjamin Harrison was nominated for President, and former Representative Levi P. Morton, of New York, was named for Vice President. The platform declared for a protective tariff with a duty on wool, negro suffrage, no tax on tobacco, no contract or Chinese labor, no trusts, no railroad land grants, home rule in territories, admission of South Dakota, bi-metalism, no polygamy, one-cent letter postage, no free ships, the Monroe Doctrine, protection to fisheries, pensions, and civil service reform. Perhaps with the recollection of the vote that former Governor St. John polled in New York in 1884 as Prohibitionist candidate for President, the platform expressed sympathy for "all wise and well-directed efforts for the promotion of temperance and morality." Nominations also were made by the United Labor, Prohibition, and American parties.

The tariff was the principal issue discussed during the campaign. The election again turned on New York, which, however, Cleveland lost this time, although Governor Hill, Democrat, at the same time was victorious. While charges were

made that Harrison carried the state because Tammany was disloyal, Cleveland years later said he did not question the loyalty of the Democratic organization in the state. Like Tilden, Cleveland had a plurality in the popular vote. He also carried Connecticut and New Jersey as well as the Southern and border states.

Harrison carried with him a Congress Republican in both branches. The principal issue of the campaign having been the tariff, the Republicans, under the leadership of McKinley, framed the tariff measure which bears his name. It was consistently a protective measure. There was a slight increase over the rates of 1883 on the cheaper grades of wool and woolens and carpet wools. On the higher grades of woolens, linen and clothing, the increase was marked. The duty on raw sugar was removed and $\frac{1}{2}$ of 1 per cent per pound retained on the refined product, but domestic sugar producers were given a bounty of two cents a pound in order to protect them against the free importation of the raw material. A duty on tin plates was levied. Under the terms of the act, the President had authority to impose duties upon goods on the free list unless concessions were given to American goods by the exporting country. In order to conciliate the farmers, tariffs were laid upon such articles as cereals, potatoes, and flax. The act was signed by the President and became effective on October 1st. Shortly before, the Sherman silver purchase bill became a law. It provided that 4,500,000 ounces of silver were to be purchased each month. No Republicans opposed it and no Democrats favored it. Western Republican members, who might have been disposed to oppose the McKinley law, voted for it after the silver purchase act was passed. Prices immediately were raised throughout the country when the tariff act went into effect, and the Democrats increased their membership in the House of Representatives from 159 to 235. Even McKinley went down to defeat in Ohio.

Rise of the Populists.—The Union Labor party of 1888 was the successor of the Greenback party. While its vote fell below that received by General Butler in 1884, it gained strongly over the Greenback vote in Texas, Arkansas, Kansas, Minnesota, and Missouri.

The Populist or People's party made its debut in American

politics in 1890. Indirectly it was the outgrowth of the Greenback and Union Labor movements, and immediately of the Farmers' Alliance, and certain labor organizations of the cities, bent upon a combination of rural and urban forces for the benefit of the common people. It was a movement against plutocracy and was produced by economic discontent and a conviction by many in the South and West that those sections were discriminated against in favor of the East. The Populists objected to the activities of the railroads in politics. They resented the fact that city speculators had purchased much Western land, which they had not improved, but were holding it for home hunters, who, by purchasing and improving a part of it, would enhance the value of the rest. They believed also that an increased money supply would raise prices and enable them to pay off their farm mortgages. Therefore, they favored the Greenback theories and accepted the doctrine of free silver because it was a step in the direction of their ideal. The Farmers' Alliance went into politics in 1890, and as a result in many of the Western states the Populists nearly absorbed the Democrats. In some states of the South they threatened Democratic ascendancy. The silver mine owners of the West had selfish reasons for favoring bi-metalism.

Cleveland versus Harrison again.—The Republicans were not enthusiastic about again nominating Harrison, but, since Blaine was in the Cabinet as Secretary of State, there was no one else in the party strong enough upon whom the opposition could concentrate. Blaine resigned prior to the assembling of the convention at Minneapolis, in June, 1892, and, while he got a substantial vote from admiring delegates, Harrison's renomination was easily brought about. Whitelaw Reid, of New York, was named for Vice President. The platform reaffirmed the Monroe Doctrine and the tariff principle of protection and reciprocity, and demanded free and safe coinage of gold and silver, freedom of the ballot, immigration restriction, expansion of foreign commerce, and construction of the Nicaraguan canal. The platform sympathized with the temperance cause, with home rule for Ireland, and with the Jews in Russia, condemned trusts, favored rural free postal delivery and the transfer to the states of the United States arid lands therein. When the Democratic convention met at Chicago the same month, despite the opposition of Tammany

and the New York delegates, chosen at the convention of "snappers" in order to give early presentation of the name of Senator Hill, and of delegates favorable to Governor Boies of Iowa, Cleveland was nominated on the first ballot. Former Representative Adlai E. Stevenson, of Illinois, was named for Vice President. The platform condemned centralization, Federal control of elections, the McKinley tariff and trusts, and demanded reciprocity, no railroad or alien public land ownership, repeal of the 10 per cent tax on state bank currency issues, civil service reform, a navy for national defense, Federal waterways development, construction of the Nicaraguan canal, admission of New Mexico and Arizona, protection for railway employees, and state laws abolishing sweating. The National People's convention met in July at Omaha, Nebraska. General Weaver, who had been the candidate of the Greenback party in 1880, was nominated for President and James G. Field, of Virginia, for Vice President. The platform demanded free and unlimited gold and silver coinage at 16 to 1, increase of money in circulation to \$50 per capita, a graduated income tax, postal savings banks, Government ownership of telephone and telegraph lines, immigration restriction, suppression of the Pinkerton system, single term for President and Vice President, no subsidies to private corporations, and the initiative and referendum. Nominations also were made by the Prohibition and Socialist Labor parties.

The Republicans had made gains in 1891, including the election of McKinley to the governorship of Ohio, but it did not seem likely that the pendulum would swing back far enough for them to re-elect Harrison. The Democrats nominated no candidates for Presidential electors in Colorado, Idaho, Kansas, North Dakota and Wyoming, partly because the Democratic party there had been absorbed largely by the Populists and partly because they hoped thereby to prevent the Republicans from carrying those states. In Minnesota and Oregon, the Democrats and Populists fused, and in the Southern states ineffective fusion was made between the Republicans and Populists. Cleveland carried all the Southern and border states, as well as Connecticut, Illinois, Indiana, New Jersey, New York, and Wisconsin, and had eight electoral votes in California, five in Michigan, and one each in North Dakota and Ohio. Weaver got all of the electors from Colo-

rado, Idaho, Kansas, and Nevada, and one each in North Dakota and Oregon. Harrison had the rest. The Populists had made themselves the strongest third party since the Civil War. They ranked first or second in nearly all of the states of the West and South and had substantial representation in Congress. The Progressives were to exceed them in electoral votes secured in 1912, but not in members of Congress elected. It must be considered, too, that the Populists had no such popular leader as Roosevelt who could take with him a large part of the voting strength of one of the major parties of which he had been the successful candidate.

Democratic demoralization.—Cleveland went into office in 1893, with such party strength in Congress that it would have seemed difficult to have understood at the time that the dominant forces in his party would repudiate him. Unfortunately, hardly had his administration opened than this country felt the disastrous effects of a world-wide panic, for which, of course, the party in power received a large part of the blame from the electorate. Cleveland had committed his party to tariff reform, and the House passed a bill introduced by Representative Wilson, of West Virginia, which provided for substantial reductions in duty along the lines which Cleveland desired. When the bill reached the Senate, a group of protectionist Democrats, led by Senator Gorman of Maryland, changed the general character by greatly increasing the House rates, and the House then was forced to accept the Senate bill. It included a tax schedule on incomes over \$4,000. Cleveland allowed the bill to become a law, in 1894, without his signature, claiming it was an abandonment of Democratic principles and an example of "party perfidy and party dishonor." While the Supreme Court had declared that the income taxes levied during the Civil War were constitutional, it reversed itself in 1894.¹ The Democrats lost the House in the election of 1894, the Republicans electing 235 members to their 105, most of whom came from the Southern states. Thomas B. Reed again became Speaker and tariff reform seemed only to be protection.

Free silver.—Cleveland's attitude on the silver question always had been consistent. He long had urged the repeal of

¹ Pollock vols., *The Farmers' Loan & Trust Co.*, 158 U. S., 601

the Bland-Allison act, and before the election of 1892, predicted disaster if the country authorized free, unlimited, and independent silver coinage. He called a special session of Congress in August, 1893, and urged immediate repeal of the Sheridan purchase clause, which the House did, two-thirds of the Democrats and four-fifths of the Republicans voting in accordance with Cleveland's request. In the Senate, the silver forces held on by filibuster until October 30, when a vote was taken and repeal was voted by 22 Democrats and 26 Republicans, to 22 Democrats, 12 Republicans and 3 Populists, in opposition.

Cleveland was annoyed further by curtailed industrial production, the Pullman and other strikes, "Coxey's army," a depleted gold reserve, and such bitter attacks from the members of his own party in Congress that it was unnecessary for the Republicans, for partisan purposes, to make speeches condemning him.

The repeal of the purchase clause of the Sherman act had split the Democratic party into two factions and both contended for control. The free silver group in the Republican party could not consistently support a gold standard platform; yet the Republicans had the advantage because of the lack of prosperity. The Republicans met at St. Louis in June, 1896. After the withdrawal of thirty-four silver supporters, led by Senators Teller of Colorado and Cannon of Utah, following a quarrel over the platform, the convention nominated former Governor McKinley for President and Garret A. Hobart, of New Jersey, for Vice President. The platform charged the Cleveland administration with piling up a debt of \$262,000,000 and causing a panic. It promised tariff protection, especially on sugar and wool; it opposed free silver and said the United States should control Hawaii, build the Nicaragua canal, and buy the Danish West Indies; it reasserted the Monroe Doctrine and urged independence for Cuba; it favored a bigger navy, the exclusion of illiterate aliens, a national board of arbitration, free homesteads, temperance, and equal wages for women. The Democratic convention met at Chicago in July, and the free silver forces demonstrated their control when they organized in opposition to the recommendations of the Cleveland-controlled national committee. Former Representative William Jennings Bryan, of Nebraska,

made one of the most brilliant orations in American political history, known as the "crown of thorns and cross of gold" speech in support of free silver, and was nominated on the fifth ballot for President with Arthur Sewall, of Maine, for Vice President. The platform contained no endorsement of the Cleveland administration, and demanded free and unlimited coinage of silver and gold at 16 to 1, no United States bond issues in peace, no bank currency, no tariff legislation, no pauper labor immigration, trials by jury in United States court contempt cases, admission of Arizona, New Mexico and Oklahoma, and no third terms for Presidents. The Populists met at St. Louis in July, and nominated Bryan for President and former Representative Thomas E. Watson, of Georgia, for Vice President. The platform demanded United States currency only and no bank notes, free silver coinage at 16 to 1, larger money circulation for lower prices, graduated income tax, postal savings banks, Government ownership of railroads and telegraph lines, no railroad land grants, direct Presidential and Senatorial elections, public work for the employed. A silver party also met at St. Louis, the same month, and nominated Bryan and Sewall. The platform was a long argument for free silver coinage at 16 to 1. A convention of Cleveland Democrats met at Indianapolis, in September, as the National (Gold) Democratic party, and nominated Senator John M. Palmer, of Illinois, for President and former Governor Simon B. Buckner, of Kentucky, for Vice President, the former a major-general in the Union army and the latter an officer of like rank in the Confederate army. The platform opposed free silver coinage, and demanded tariff for revenue only with no discriminating duties. The Prohibition party split during the campaign and made two nominations, and the Socialist Labor party again placed a ticket in the field. The Democrats and Populists fused on their electoral tickets in many of the states in order not to divide the Bryan vote. If no one received a majority for Vice President, it was expected that the Senate would choose Sewall. The management of the McKinley campaign was as effective as any in American history.² Bryan carried the Southern states and Missouri, Idaho, Kansas, Montana, Nebraska, Nevada, South Dakota, Utah,

² See pp. 266-268.

Washington, and Wyoming, and had one vote each in Kentucky and California. McKinley had the rest, and a plurality of nearly 400,000 in one of the most important campaigns in American history. The Palmer vote was negligible, but his candidacy aided the Republicans.

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110 PARTY PRINCIPLES AND PRACTICAL POLITICS

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Questions

1. What was the principal mission that the Republican party had to perform?
2. What ended the Reconstruction Era?
3. What reports did the Potter committee make on the contested election of 1876?
4. What action did the Republican Senate take toward the contest?
5. Did the contest investigations help the Democrats in their campaign of 1880?
6. What was the origin of the Greenback movement?
7. What and when was the first movement for the free coinage of silver?
8. Who were the "stalwarts" and the "half-breeds"?
9. Who was the first American President actively to seek a third term before a convention?
10. Who were the candidates of the Republican and Democratic parties in 1880?
11. What statement made by General Hancock was ridiculed during his Presidential campaign?
12. Did Garfield receive a large majority?
13. What notable patronage fight did Garfield have?
14. What was the tariff history of the Arthur administration?
15. What were the results of the elections of 1882?
16. Who were the national nominees of the major parties in 1884?
17. What element of his own party did Blaine lose and why?
18. What was the deciding state in the 1884 election?
19. Why was the Morrison horizontal tariff bill defeated?
20. What was the Mills bill?
21. Who were the major party candidates in 1888?
22. What was the principal issue of the campaign of 1888?
23. Who received the electoral and popular majorities in 1888?
24. What tariff measure was the result of the election of 1888 and what was its political influence?
25. Of what movements was the Populist party the outgrowth?
26. Who were the major party candidates in 1892?
27. Of what parties and in what years was General James B. Weaver the Presidential candidate?
28. What action did the Democrats take in 1892 that worked to the benefit of the Populists?
29. What did the Democrats gain by the election of 1892?

112 PARTY PRINCIPLES AND PRACTICAL POLITICS

30. Why did the Democratic party become demoralized during Cleveland's second administration?

31. Did the gold forces dominate either of the major parties in their 1896 conventions?

32. What parties nominated Bryan for President in 1896?

33. Who were the Vice Presidential candidates with Bryan?

34. Who were the national candidates of the Republicans and the gold Democrats in 1896?

35. Where was McKinley's greatest strength?

CHAPTER IX

CONSERVATIVE REPUBLICANISM

Business conservatism.—While the political history of the twenty years following the election of Hayes was one of confusion, partly owing to the fact that for only two years, from 1889 to 1891, the Republicans had control of both the Executive and the two houses of Congress and that the Democrats similarly had control for only the same length of time, from 1893 to 1895, the election of McKinley meant that a definitely conservative party, with the sympathy of the business interests, was in the saddle. As author of the tariff law which bore his name, McKinley stood irrevocably for protectionist principles which met with the hearty approval of the manufacturing interests of the East. The activity of Hanna in the campaign had enlisted the support of the financial element, and while Hanna declined a position in the Cabinet, he was to secure appointment and then election to the Senate from Ohio, and his power there was to be great. Incidentally, Hanna was to retain the chairmanship of the Republican National Committee, where his influence in party councils outside of Congress would be felt. The McKinley administration was to be one in which the interests of business were carefully to be guarded. This was to be true in part of the first term of Roosevelt which followed, and as much so under Harding and Coolidge as had been the case under McKinley.

While the campaign of 1896 had been fought on free silver, the administration depended for control in the Senate upon a few silver Republican members, and so the first legislative product was the Dingley tariff act of 1897. The Wilson-Gorman act, partly because of the declaration of unconstitutionality of the income tax schedule, had produced inadequate revenue, and McKinley's position was so well known that logically tariff revision came first. The House passed

the bill speedily, but in the end it was held up for a time and amended in the Senate by the insistence of the silver Republican members for high duties on wool to take care of this industry in the West. However, when it came out of conference, the rates were in many cases higher than those desired by either House or Senate. The Democratic opposition in Congress was largely perfunctory, but, nevertheless, it recorded itself.

The currency issue was not taken up until the Congressional elections of 1898 had replaced eight silver men by gold supporters in the Senate. In the House the Republican strength declined, but so did that of the Populists, who either were returning to the Republican party or permanently affiliating themselves with the Democrats. An act in 1900 made the dollar, consisting of 25.8 grains of gold nine-tenths fine; the standard unit of value. The Secretary of the Treasury was instructed by the act to maintain \$150,000,000 in gold in the Government vaults for redemption purposes, and the treasury notes issued under authorization of the Sherman act of 1890 were to be retired.

The Spanish-American War was to furnish the next big political issue. Senator Hoar, Republican, of Massachusetts, opposed the treaty because of the acquisition of the Philippines, for which it provided. Many of the Democrats were inclined to take the same position, but Bryan, who maintained his predominating influence in the party even after his defeat, advised ratification in order to end the war. Bryan thought that the ultimate disposition of the new possessions could better be determined in the next campaign.

McKinley was unanimously renominated by the Republican convention at Philadelphia, in June, 1900. For Vice President, somewhat against the wishes, or at least without enthusiasm on the part of McKinley and Hanna, Governor Theodore Roosevelt, of New York, was nominated. Roosevelt had come into conflict with Senator Thomas C. Platt, the Republican boss of the state, who thought that the best way to get him out of the governorship was to promote him to the Vice Presidency. The Republican platform discussed the prosperity which the country had enjoyed, spoke of the benefits which had been derived from the Dingley act, and considered the acquisition of the Philippines as necessary. It also renewed

allegiance to the gold standard, condemned monopolies, favored reciprocity, immigration restriction, the Monroe Doctrine, a merchant marine, good roads, reclamation, liberal pensions and civil service reform, denounced race discrimination, called for an isthmian canal, and promised independence to Cuba, and a measure of self-government to Porto Rico and the Philippines. The Democratic convention met at Kansas City, in July, and nominated Bryan. For Vice President, former Vice President Stevenson was named. The platform defined the paramount issue as that of imperialism brought about by the acquisition of territory under the treaty with Spain. Big business and the trusts, and the Republican attitude toward them, were condemned, and the Dingley act was denounced. The platform also condemned monopolies and demanded bi-metalism, direct Senatorial elections, a Department of Labor, liberal pensions, a Nicaraguan canal, reclamation of arid lands, Chinese exclusion, and no government by injunctions. Free silver was inconspicuously endorsed in the platform. The Fusionist Populists met at Sioux Falls, South Dakota, prior to the Democratic convention, and nominated Bryan for President and former Representative Charles A. Towne, of Minnesota, for Vice President. Towne later withdrew, so the Democratic ticket received complete support from this element. The Middle of the Road People's party met at Cincinnati, in May, and nominated Wharton Barker, of Pennsylvania, for President and Ignatius Donnelly, of Minnesota, for Vice President. The silver Republican convention met at Kansas City, in July, and nominated Bryan and later the national committee endorsed Stevenson. In July, a meeting of gold Democrats, at New York, decided that it was inexpedient to make a nomination for the Presidency. A later convention of gold Democrats with similar purposes, in New York, made nominations of Senator Donelson Caffery, of Louisiana, for President and Archibald M. Howe, of Massachusetts, for Vice President, but they were declined. The Socialist Labor, Social Democratic, United Christian, Prohibition, and Union Reform parties also made nominations.

During the campaign, a few former members of the gold Democratic party supported Bryan, and many others of the same group voted for McKinley. A few Republicans, displeased by McKinley's policy toward acquisition of territory,

also supported Bryan. The campaign was not as spectacular as the one four years before. The Republicans appealed to the business interests on the ground of prosperity, and to the laboring man upon the plea that he had had a "full dinner pail." The total popular vote was slightly larger than in 1896, and McKinley increased his plurality to about 860,000. McKinley lost Kentucky, which he had carried before, to Bryan, but gained Kansas, Nebraska, South Dakota, Utah, and Wyoming. Conservative Republicanism seemed safely entrenched, and conservative Democrats began to discuss the possibility of wresting control from the wing which had "tied up with Populism from Nebraska." Former Senator Hill was favored by many as the conservative Democrat to take charge of the party.

The attitude of the administration toward Cuba was set forth in the Platt amendment, which was adopted by a party vote in Congress shortly before McKinley's second inauguration, in 1901. It forbade Cuba to make treaties, limited her independence, and prevented assumption of debts out of proportion to her income. It also reserved the right of the United States to intervene.

Roosevelt's succession.—President McKinley died at Buffalo, Sept. 14, 1901, of wounds received at the hands of an assassin on September 6. Roosevelt immediately took the oath of office and said: "It shall be my aim to continue absolutely unbroken the policy of President McKinley, which has given peace, prosperity and honor to our beloved country."

Five steps were taken in 1903 for the regulation of industry, but these did not have the opposition of the business interests. One gave precedence, at the request of the Attorney-General, in the circuit court to cases tried by the Government for violation of the Sherman anti-trust act and the inter-state commerce law. A Department of Commerce and Labor was established, including in its organization a bureau of corporations. The Elkins act to eliminate rebating was passed. Congress appropriated \$500,000 for the better enforcement of the anti-trust and inter-state commerce laws. The last was the decision of the Supreme Court in the Northern Securities case, a prosecution begun at Roosevelt's request, that the company was a combination in restraint of trade.

Roosevelt was not as acceptable to the business interests of

the country as McKinley had been, and considerable sentiment was discovered for Senator Hanna. He was trusted implicitly by these interests and was popular enough among Southern members of the party to secure a batch of the delegates from that section, who ordinarily vote as the administration in power directs. Hanna died in February, 1904, and it was considered useless to make any opposition to Roosevelt, who was unanimously nominated by the convention at Chicago in June. Senator Charles W. Fairbanks, of Indiana, was named for Vice President. The platform upheld the gold standard, the Panama canal, a protective tariff, reciprocity, Chinese exclusion, a navy for defense, international arbitrations, and lawful combinations of either capital or labor. The Democratic convention met at St. Louis in June. The party leaders in a majority of the states had agreed that the conservative element should be given a chance after two defeats under the radical leadership of Bryan. Former Senator Hill and the Belmonts were instrumental, largely, in bringing to the attention of the public Judge Alton B. Parker, of the New York court of appeals. Since the Democratic party had been unable to win by a combination of the South and West which Bryan attempted to make, the nomination of a conservative from the East, party leaders thought, might secure the electoral votes of New York, New Jersey, Connecticut, and Indiana, which, with the South, would secure the election. Parker had voted for Bryan in 1896 and 1900, and thus had the desirable element of party regularity which any of the leaders of the gold Democratic movement would not have had. Then he was a younger man than Hill, who had been out of public office for several years. His principal opponent in the convention proved to be William Randolph Hearst, a member of Congress from New York, who owned a chain of newspapers in eight cities and catered editorially to the radical element. The conservatives were in the majority in the convention, and Parker was nominated. Former Senator Henry G. Davis, of West Virginia, was named for Vice President. The platform made no mention of the free silver issue, but Parker, inadvertently, sent a telegram to the convention announcing his convictions in favor of gold standard. This action was regarded generally as unnecessary and poor politics, so far as its influence on the West would be felt. The platform demanded equal

rights for capital and labor, liberal appropriations for waterways, economy in government, no compromising with trusts, no executive usurpation, no imperialism, gradual tariff revision and reduction, direct election of senators, admissions of Oklahoma, Arizona and New Mexico, extermination of polygamy, no ship subsidies, reciprocity, liberal pensions, and civil service reform. The remnant of the Populists met and nominated Watson, who had been Bryan's running mate on that ticket in 1896, for President, with Thomas H. Tibbles, of Nebraska, for Vice President. The Prohibition, Socialist, and Socialist Labor parties also made nominations. The campaign was listless. The only sensational feature was Parker's charge that Chairman Cortelyou, of the Republican National Committee, was using information he secured while Secretary of Commerce and Labor to force large contributions to the Republican campaign fund. He also charged that the Republican campaign was financed by the corporations. Three days before the election Roosevelt stated that Parker's charges were "unqualifiedly and atrociously false." Later investigations would substantiate Parker's charges as to the activity of corporations. Parker carried only the South and the border state of Kentucky. He got seven of the eight electoral votes in Maryland, although Roosevelt's elector had the highest vote in the state. Congress was to be overwhelmingly Republican in both branches. The results proved that not only had a large part of the radical vote of the West supported Roosevelt, but so had the conservative business interests of the North and East, with all of their influence. The Democratic vote was a million and a quarter less than it had been four years before, while the Republicans polled almost 400,000 more. On election evening, Roosevelt issued the following statement which was to come up to plague him in 1912:

"I am deeply sensitive of the honor done me by the American people in thus expressing their confidence in what I have done and have tried to do. I appreciate to the full the solemn responsibility that confidence imposes upon me, and I shall do all that in my power lies not to forfeit it. On the 4th of March next I shall have served three and a half years, and that three and a half years constitutes my first term. The wise custom which limits the President to two terms regards the

substance and not the form, and under no circumstances will I be a candadiate for or accept another nomination."

Roosevelt's second term.—While Roosevelt had acquiesced in the support which the business interests gave him in his campaign of 1904, his second term was to be marked by activities which aroused the ire of the more conservative element in the party. Bryan had spoken the language of unrest in 1896, but Roosevelt took action when the sentiments of the people were definitely crystalized against the trusts. Ultimately, his policy did not become that of the Republican party, but that was largely because he allowed the leadership of the party to go into hands fundamentally unsympathetic. The suits against the beef and sugar trusts and the Standard Oil Company were by his instigation. He secured the passage of the Hepburn act of 1906, which gave the Inter-state Commerce Commission the power to make rates, control express and sleeping car lines, switches and terminals, prohibited passes and denied the right of the roads to carry commodities for themselves which they themselves would not use. This was not party legislation but had the support of both Republicans and Democrats in Congress, despite an active railroad lobby against it. Roosevelt's principal political mistake was the selection of his own successor. He let it be known that Secretary of War William H. Taft was his choice, and bent all of the influence of the administration in his behalf. The Southern delegates were delivered and the candidacies of the other contenders at the June, 1908, Republican convention in Chicago, were hardly more than in the favorite son class, as Taft had delegates from every state save Indiana. The other candidates were Vice President Fairbanks, Speaker Joseph G. Cannon of Illinois, Senator Joseph B. Foraker, of Ohio, Governor Charles E. Hughes of New York, and Senator Philander C. Knox of Pennsylvania. Taft was nominated easily, with Representative James S. Sherman, of New York, for Vice President. Since the tariff was being attacked in Congress, the platform promised a revision, but did not signify that it was to be downward. The Democrats met at Denver in July. After Parker's defeat, Bryan had reasserted his leadership over the party, a leadership which he held from 1896 to 1912, with the exception of the brief intervening time of the

Parker campaign. Bryan was nominated on the first ballot with slight opposition, and John W. Kern, of Indiana, was nominated for Vice President. The Populists made their last nomination, giving the honor again to Watson. Nominations also were made by the Independence League, sponsored by Hearst, and the Prohibition, Socialist, and Socialist-Labor parties. The principal issue of the campaign was that of tariff revision. Both major parties were pledged to it, but the Republicans insisted it should be revised by its friends. While Taft was not the type to make a popular appeal, he had behind him the vigorous personality of Roosevelt. Bryan carried the South, Kentucky, Colorado, Nebraska, Nevada, Oklahoma, and had six of the eight electors in Maryland, where Taft had the higher vote. Taft's popular plurality was nearly a million and a quarter, but Bryan had brought back to the party a large part of the radical vote which Parker had lost four years before. Thus ended Bryan's third and last campaign for the Presidency. With Clay and Blaine, he probably had one of the greatest personal followings of any American, and yet, like the other two, he could not attain the national chair.

Republican insurgency.—When President Taft called Congress into special session in 1913 to revise the tariff, little could the Democrats, who had an adverse majority of 42 against them in the House and were out-numbered almost two to one in the Senate, have realized that they were on the threshold of victory. It was to be a victory won, partly because of the division in the ranks of their opponents, and partly because they had taken the popular side of numerous issues. The session was called to revise the tariff and Chairman Payne of the House ways and means committee piloted the bill through the committee and then through the House and, on the whole, the rates were lower than in the existing bill. The Democrats, with the exception of the sugar protectionists from Louisiana, fought the measure, but the Republican lines were substantially intact. When the bill reached the Senate it emerged from Chairman Aldrich's finance committee with rates much higher than it had had when considered in the House. Senators LaFollette, Beveridge of Indiana, Nelson and Clapp of Minnesota, Bristow of Kansas, and Dolliver and Cummins of Iowa, of the "insurgent" Republican group, voted

against the committee on many amendments, and finally were recorded against the bill. The bill went to conference and there, perhaps on account of Taft's influence, some reductions were made, including the abolition of the duty on hides. However, the insurgent revolt was on. Taft declared the tariff, while not as good as he had wanted, to be the "best that could be obtained for party solidarity." Roosevelt endorsed the bill, but he was never known as an authority on the tariff. Later, after an earlier unsuccessful attempt, Taft was able to secure legislation for Canadian reciprocity, with his chief support coming from the Democrats. Canada refused to complete the agreement. Then Gifford Pinchot, chief forester, made charges that the water power sites were being absorbed by a trust, which was regarded as an attack upon his chief, Secretary of the Interior Ballinger. Other charges concerning a coal claim in Alaska were made against Ballinger, but Taft supported his Cabinet officer. Pinchot was removed for insubordination, and the majority of a Congressional committee exonerated Ballinger, but he resigned in 1911. The "insurgents" began terming the conservative Republicans "old guard" and "reactionary." Then, in 1910, Representative George W. Norris, of Nebraska, arose in the House one day and moved a change in the rules to provide for the election of the committee on rules, and the elimination of the Speaker as a member of it. Through the chairmanship of this committee, the Speaker had become the "czar" of the House, which, in part, had given rise to the term "Cannonism." The Democrats voted solidly with the "insurgent" Republicans and the change in the rules was made. Speaker Cannon was subjected to frequent attacks in the Democratic press as being the enemy of progressive legislation.

The Democrats confidently entered the campaign of 1910. They had made strong gubernatorial nominations in New Jersey, Connecticut, Massachusetts, and Ohio, and looked for success. Roosevelt toured the country for the Republicans, and at Ossawatimie, Kansas, developed his theories of "New Nationalism," which included thorough control of corporations, income taxation, conservation, direct primaries, and the recall of officials. The Democrats secured a larger majority in the House than the Republicans had had, elected several Democratic governors in doubtful states, including Woodrow

Wilson, former president of Princeton University, in New Jersey, and secured control of enough legislatures to give the balance of power in the Senate to themselves in coalition with the "insurgent" Republicans.

In the new Congress, the Democrats passed a series of tariff bills revising different schedules. They passed these bills in the House by virtue of their majority, and in the Senate either by the aid of the "insurgents" or without their aid when the "regulars" would absent themselves. Taft vetoed all of them.

Senator LaFollette was the first to campaign for the Republican Presidential nomination, but he did not arouse the enthusiasm which many of his supporters thought would be necessary in order to wrest the nomination from Taft. Seven governors appealed to Roosevelt to become a candidate and he accepted their invitation on February 24, 1912. The campaign between the supporters of Taft and Roosevelt became one of the most acrimonious in American political history. Most of LaFollette's supporters went over to Roosevelt. Legislation was passed in many states providing for Presidential primaries, and in most of these states Roosevelt got the delegates. In the Southern states, by virtue of the patronage at his disposal, Taft got substantially all of the delegates. In the other convention states, he received more delegates than Roosevelt. When the convention assembled, Roosevelt had brought contesting delegates against most of the Taft delegates from the Southern states and a few from elsewhere. The temporary roll of the convention showed a majority of Taft delegates, who organized by electing Senator Elihu Root, of New York, as temporary chairman. After that the "steam roller" worked effectively, the Taft delegates retained their seats, and Taft and Sherman were renominated. The platform called for a Federal trade commission, a protective tariff, a cost-of-living inquiry, farm loan banks, a law prohibiting campaign contributions by corporations, a parcel post, a navy for defense, and a revived merchant marine. Roosevelt announced he would accept an independent nomination, and a convention of his supporters met in Chicago in August and nominated him for President, with Governor Hiram Johnson, of California, for Vice President. The platform demanded direct state and Presidential primaries, short ballot, initiative, referendum and recall, an easier way to amend the Constitu-

tion, various social and industrial reforms, Federal regulation of inter-state corporations, a lower tariff, repeal of Canadian reciprocity, Government currency only, no tolls on American ships in the Panama canal, equal suffrage, popular review of judicial decisions, restriction of injunctions in labor cases, creation of a department of labor, a national health service, no patents for injurious monopolies, physical valuation of railroads, graduated inheritance tax, international agreement to reduce naval armaments, and parcel post. State and local tickets were placed in the field in most of the states under the name of the "Progressive" party, which in popular parlance was referred to as the "Bull Moose party." The Democrats had an interesting convention at Baltimore, in July, in which Bryan was a delegate, and sought to place the convention on record as being progressive at every opportunity. Judge Parker was elected temporary chairman in place of Bryan, which was Bryan's first set-back. Then he secured a resolution of disapproval of the "special privilege-seeking interests," aimed particularly at Thomas F. Ryan and August Belmont, who sat in the convention as delegates. Bryan had been instructed to vote for Speaker Champ Clark, but when Tammany began supporting Clark, Bryan transferred to Wilson, who later was nominated. Bryan previously had designated Governor Judson Harmon, of Ohio, and Representative Oscar W. Underwood, of Alabama, as being unsatisfactory because of their conservatism. Governor Thomas R. Marshall, of Indiana, was nominated for Vice President. The platform favored a reduced tariff, more "teeth" in the anti-trust law, Presidential primaries, single Presidential term, physical valuation of inter-state utilities, no central United States bank, exemption of American ships from tolls in the Panama canal, and a parcel post. Nominations also were made by the Prohibition, Socialist, and Socialist-Labor parties. The Democrats attempted to show that their candidate was more progressive than Roosevelt, and many Taft men voted for Wilson rather than run the risk of having Roosevelt elected. Vice President Sherman died during the campaign but no nomination was made for the vacancy until after the election, when the national committee named Dr. Nicholas Murray Butler of New York. Taft carried only Utah and Vermont. Roosevelt had the electoral votes of Michigan, Minnesota, Pennsylvania,

South Dakota, and Washington and 11 of the 13 in California. Wilson had the rest.

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Questions

1. In what respects did the election of McKinley mean that the era of party confusion over issues was at an end?
2. What was Mark Hanna's position in politics during the McKinley administration and where did his greatest influence lie?

126 PARTY PRINCIPLES AND PRACTICAL POLITICS

3. What was the nature of the Dingley tariff act and when was it passed?

4. When was the currency question taken up by the McKinley administration and what was done?

5. What political issue was furnished by the Spanish-American war?

6. Did the Democrats oppose ratification of the treaty closing the war?

7. Who were the major party candidates in 1900?

8. What were the principal issues of the campaign of 1900?

9. What was the magnitude of McKinley's victory in comparison with that of 1896?

10. What was the Platt amendment?

11. What was Roosevelt's attitude toward the McKinley policies when he became President?

12. Did the business interests approve of Roosevelt for a second term?

13. Who were the candidates in 1904?

14. What mistake did Parker make at the time of the convention that lost him support?

15. Was Parker a formidable candidate?

16. What was Roosevelt's attitude toward a third term at the time of his election in 1904?

17. What action did Roosevelt take during his second term that offended the business interests?

18. Who were the candidates in 1908 and to whom did the Republican Presidential choice owe his nomination?

19. Did the Democrats regain any of the strength in 1908 that they lost in 1904?

20. Did Taft have an easy victory?

21. What had been the principal issue of the campaign of 1908?

22. What steps were taken by the party in power in 1909 to redeem its campaign pledges?

23. When did the insurgent Republican revolt begin?

24. What was the Pinchot-Ballinger controversy?

25. What was "Cannonism"?

26. What were the results of the campaign of 1910?

27. What was Taft's position on Canadian reciprocity?

28. Did the Democrats attempt any tariff revision when they secured control of the House during Taft's term?

29. Did the LaFollette campaign for Presidential nomination receive much support in 1912?

30. What were the chief contests before the Republican convention of 1912 concerning delegates?

31. How were the above contests decided?

32. The renomination of Taft brought about what principal event?
33. What was Bryan's principal activity at the Democratic convention of 1912?
34. Who were the Vice Presidential candidates in 1912?
35. What was the principal effect of the Roosevelt candidacy?

CHAPTER X

WILSON AND RETURN TO "NORMALCY"

Democratic control.—When Wilson took the oath of office in 1913 he did it as a minority President, more of one than any of his predecessors except Lincoln, the first time, and John Quincy Adams. When his first Congress met in special session, it was a minority Congress in both of its branches in the sense that the Democrats had secured control only because the opposition was hopelessly divided between candidates for Representatives in the House and for members of the state legislatures, who chose the United States senators for the last time. While Cleveland had had a Democratic Congress in both branches during the first two years of his second term, it never was in sympathy with him. The Democratic party had been largely an opposition party since the Civil War. It was Wilson's desire to wield the party into a positive force and attempt to secure majority approval from the voters.

Wilson's record as president of Princeton University had demonstrated that he was uncompromising. As governor of New Jersey, his only political office prior to the Presidency, he had asserted the leadership of his party and had secured the enactment of a comprehensive legislative program. Wilson had the faculty, as governor and later as President, of securing almost unanimous support of his party members in the legislative branches, but in crises he got very little help from the Republicans. That an administration is no stronger than its support was particularly true in Wilson's case.

When the Democratic members of the House took the oath of office and heard Wilson's first address to that body, at least a third of them represented constituencies that normally were Republican. Many of the Democratic senators, likewise, came from states usually Republican. These men wanted to retain their positions and they wanted to secure

future party success, and they seemed to have put their faith in their leader with the conviction that he knew more than they, and they hoped for the best. Wilson had taken Bryan into his Cabinet as Secretary of State, which was immensely pleasing to the members of the party who had been following the Commoner for sixteen years.

The Payne-Aldrich tariff law having been the principal cause of the Republican disaster of 1910, Wilson asked Congress first to pass a tariff act in consonance with Democratic principles. Cleveland's experience, and the resultant Wilson-Gorman act of 1894, was a lesson to the Democrats and the caucus was used as the instrument to secure party cohesion. Before the bill that became known as the Underwood-Simmons law of 1913, which made substantial reductions in duties, was presented to the House, the Democratic members of the ways and means committee submitted it to party caucus for approval even before it had been presented to the full committee. In that way, the Democrats successfully resisted all Republican attempts at amendment on the floor of the House. Similarly, when the bill reached the Senate, it was considered first by the Democratic members of the finance committee, then the party caucus, then the full membership of the committee, then the Senate, and there, as in the House, resisted all of the Republican assaults. The use of the caucus caused a great outcry from Republicans and Progressives, but it enabled the Democrats to pass a measure which represented the general views of the party on the subject.

With the passage of the tariff assured, Wilson asked Congress to create the Federal Reserve system. This was done in the same manner as the tariff act had been passed, with the Democratic members of the committees on banking and currency steering the legislation through the caucuses and the two houses.

Wilson then sought and secured, as the redemption of party pledges, the Federal Trade Commission and Clayton Anti-Trust acts of 1914. The Clayton act was pleasing to organized labor because it sought to exempt labor and agricultural organizations from prosecution as conspiracies in restraint of trade. Under its provisions, injunctions were not to be granted in labor disputes, unless necessary to prevent irreparable injury, and trials for contempt of court were to be by

jury, except when the act was committed in the presence of the court. This was labor's reward for the action of the American Federation of Labor in supporting the Democratic ticket in 1912. Because of his success in pushing through his legislative program, Wilson's influence over his party never was exceeded by that of any President.

With the repeal of the Panama canal tolls act of 1912, exempting American coastwise shipping from canal tolls, Wilson was not so successful, since the bill had been endorsed in the party platform, but finally he triumphed without the caucus and over the opposition of such leaders as Clark and Underwood.

The pendulum began to swing away from the Democrats in the Congressional elections of 1914. Many Progressives had returned to the Republican party, but the Democrats retained control of the House and made a net gain of six in the Senate, owing to the divided opposition. Had there been no Progressive candidates for the House, unquestionably the Republicans would have won control.

Before the Sixty-fourth Congress adjourned in 1916, the Farm Loan Bank system was enacted, and party leaders expected this to appeal to the agricultural classes. Shortly before adjournment the country was threatened with a strike from the railroad brotherhoods, and Congress passed the Adamson law recognizing the eight-hour day and providing higher pay for overtime. While the bill received considerable Republican support in the House, it was largely a party measure in the Senate. The new law brought Wilson the almost solid support of the railroad employees, and with the Democratic record on other labor legislation the party had vigorous support from union officials and members during the campaign.

The World War, which began in 1914, had its influence in American politics from the beginning. Bryan resigned from the Cabinet in 1915 because Wilson was not inclined to arbitrate differences with Germany. Wilson accepted implied assurances from the Berlin Government that her submarine warfare, which sank the *Lusitania* and other ships with loss of American lives, in 1915, would be abandoned, and thus he maintained American neutrality. Republicans severely attacked Wilson's policy in Europe as well as his attitude toward Mexico, where he forced the abdication of Huerta and

later sent a punitive expedition into Mexico to apprehend Villa and other bandits.

The Republicans met in Chicago, in June, 1916, as did the Progressive party. The Progressives nominated Roosevelt for President and John M. Parker, of Louisiana, for Vice President. Roosevelt also was a candidate before the Republican convention, as were Senator Elihu Root and Associate Justice Charles E. Hughes, of New York, former Senator Theodore E. Burton, of Ohio, Senator John W. Weeks, of Massachusetts, Senator Lawrence Y. Sherman, of Illinois, former Vice President Fairbanks, and Senator LaFollette, of Wisconsin. Roosevelt made the statement that he would support Senator Henry Cabot Lodge, of Massachusetts, if he were nominated by the Republicans, but the forces sponsoring Hughes had control of the convention and brought about his nomination. Fairbanks was named for Vice President. Hughes probably was the strongest man the Republicans could nominate, for he was on the bench in 1912 at the time of the split in the party. Roosevelt declined the Progressive nomination and no substitution was made. Thus he permitted the party he founded to die. The platform declared for neutrality and a world court, sympathized with Mexico, pledging aid in restoring order and maintaining peace, reaffirmed the Monroe Doctrine and Pan-Americanism, pledged further self-government for the Philippines, and demanded preparedness, a higher tariff, rural credits, Government control of transportation, and equal suffrage by state laws. The Democrats met in St. Louis, and with enthusiasm renominated Wilson and Marshall by acclamation. The platform endorsed the Underwood tariff and the non-partisan tariff commission, denounced foreign intrigues in the United States, favored an army sufficient for order, safety and defense with an adequate citizens' reserve, declared for self-determination of small nations, the Monroe Doctrine and Pan-Americanism, and against intervention in Mexico, upheld the shipping bill, favored woman's suffrage by states and reiterated generally the policies expressed in 1908 and 1912 as to internal policies. The Socialist, Socialist-Labor and Prohibition parties made nominations.

Wilson's legislative program had been such as to occasion the contention by some that it was a fulfillment of the Progressive party ideals of 1912. He attracted to his support,

in 1916, many former members of that party including Parker, Bainbridge Colby, of New York, Matthew Hale, of Massachusetts, Victor Murdock, of Kansas, and Francis J. Heney, of California. This element was particularly strong in the Western states. The Democrats adopted as their campaign slogan, "He kept us out of war," which was very effective, especially in the states where women had the ballot. Hughes' campaign was criticized as being destructive instead of constructive and in some of the states, particularly California, was poorly directed. The election results showed that Wilson carried all of the Southern and border states but Delaware and West Virginia, where he received one electoral vote on account of a Republican death. He carried New Hampshire and Ohio, and all of the states west of the Mississippi except Iowa, Minnesota, South Dakota, and Oregon. While Wilson's majority in the electoral college was only 23 and he could not have won without California, which was close, his popular plurality was 592,457. Wilson only narrowly missed carrying Minnesota and the Hughes pluralities in Oregon, Indiana, and West Virginia were not large. The Senate was Democratic and the Democrats, by the aid of the independent votes, were able to organize the House, chosen at the same time. The strength of the Democratic party which re-elected Wilson was quite different from that which chose Cleveland and backed Tilden. The decisive Wilson strength was in the West, where Bryan had been evangelizing for twenty years in an endeavor to array that section with the South against the East.

While Wilson probably was re-elected because the country had not engaged in the European war, on January 31, 1917, before he had been inaugurated for a second time, the German Government announced it would resume its unrestricted submarine warfare and the President promptly broke off relations. War was obvious, and Congress met in special session on April 2. Wilson recommended a declaration of war and by large majorities, without observing party lines, it was voted. Throughout the sessions of Congress, during our participation in the war, the Republican membership attacked the administration for its conduct of the war, which led Wilson to issue an appeal before the elections of 1918 for a Democratic Congress. He did this upon the conviction that, while

the Republicans were pro-war, they were anti-administration. His appeal undoubtedly worked to the great advantage of the Republicans, although Roosevelt had made a similar request while he was President which did not hurt and probably helped his own party. The Republicans gained control of the Senate by a majority of two and had a substantial lead in the House. Wilson went to the Paris conference hampered by a repudiation at the polls.

Wilson's attempt to secure the ratification of the Versailles treaty, with only the interpretative Hitchcock reservations, was unsuccessful. His own party was not a unit in supporting him and the Republican opposition was of two sorts. One, under the leadership of Senator Lodge, chairman of the committee on foreign relations, voted for the treaty with reservations to Article X and other parts of the Covenant of the League. The other group, terming themselves irreconcilables, and composed largely of the Western insurgent element, opposed the Covenant of the treaty with or without reservations. The treaty was twice considered by the Senate in open session and both times rejected, the first time not even a majority voting for it with the Lodge reservations. Had Wilson accepted the Lodge reservations he might have secured its ratification, but Governor Cox later charged during the campaign that had he signified an intention to do so, the reservations would have been withdrawn by their sponsors.

Had Roosevelt lived, he might have received the Republican Presidential nomination in 1920. The campaign for the nomination was principally between Major-General Leonard Wood, Governor Frank O. Lowden, of Illinois, and Senator Hiram W. Johnson of California. The Convention at Chicago was in a deadlock, when Senator Warren G. Harding, of Ohio, who had not had the complete support of his own delegation, was nominated. Governor Calvin Coolidge of Massachusetts was named for Vice President. The Republicans stood for agreement among the nations of the world to preserve peace, favored protection to farmers in coöperating against discrimination, endorsed collective bargaining, denied the right to strike against the Government, pledged national readjustment on a peace basis and tax reduction, denounced Government ownership of railroads, agreed to revise the tariff at the proper time, endorsed separate naturali-

zation for women, recommended abolition of Panama canal tolls on American ships, approved immigration restrictions, and on internal questions the planks were substantially the same as since 1904. The Democratic convention at San Francisco nominated Governor James M. Cox, of Ohio, for President and Assistant Secretary of the Navy Franklin D. Roosevelt, of New York, for Vice President. Cox's principal convention opponents were former Secretary of the Treasury William G. McAdoo and Attorney-General A. Mitchell Palmer. The platform endorsed the Covenant of the League of Nations and demanded revision of war revenue acts, economy, war on profiteers, tariff for revenue only, a national budget system, equal suffrage by Federal amendment, separate naturalization for women, vocational education, a fair test of the Esch-Cummins railroad act, supervision of inter-state live stock markets, equal rights with other nations in oil rights in other countries, sympathy for Ireland, aid for Armenians, development of Alaska and Hawaii, territorial rights for Porto Rico, Asiatic exclusion, and internal policy planks similar to the recent preceding conventions of the party. The Socialist Labor, Socialist, Farmer-Labor and Single Tax parties had candidates. The Prohibition party nominated William J. Bryan for President and Miss Marie C. Brehm, of Illinois, for Vice President. Bryan declined and Aaron S. Watkins, of Ohio, was substituted. Because the Democratic convention refused to adopt a prohibition plank which he sponsored, Bryan refused to support the ticket, although he announced on election night that he had voted for Cox.

The campaign was waged largely around the League of Nations issue. Harding imitated McKinley in the front porch campaign at his home in Marion. The irreconcilables, as well as the Lodge reservationists, supported him enthusiastically, and even former President Taft, who had stumped the country for the League without reservations, campaigned for Harding. Harding's popular plurality was more than seven millions. The Republicans elected more than two-thirds of the members of the House and had a safe majority in the Senate. Thus Democratic supremacy was wrecked in the field of international affairs. Wilson had taken a stand which substantially all of the founders of the Republic would have disapproved in their day. Much of the opposition to the

party came from foreign elements. The German-Americans voted for Harding because they disapproved of the war and the treaty. Many of the Irish-Americans, normally Democrats, resented the fact that England, through her dominions, would have six votes in the assembly of the League. Italian-Americans were angry at the disposition of Fiume. The country was tired of one-man leadership and Harding asked for a return to "normalcy" and promised a consultation with the "best minds."

Republicans returned.—While many people, favorable to the League of Nations, had supported Harding, it was evident when he assumed office that he would take no steps toward securing affiliation to the covenant by this country. Congress declared by joint resolution that the war was at an end and special treaties were made with Germany, Austria, and Hungary in recognition of the fact.

President Harding called a conference on the limitation of armaments, which met in Washington in 1921 and was attended by delegates from the United States, Great Britain, Japan, France, Italy, Belgium, China, Holland, and Portugal. Treaties were consummated restricting the naval programs of the five principal powers, providing for a conference by the United States, Great Britain, Japan, and France in the event of trouble over the possessions in the Pacific, equal opportunities for trade in China, and the return of Shantung by Japan to China. This was in a sense the answer of the party to the demands for steps which might make more certain the possibilities of peace. Harding also recommended joining, with reservations, the Permanent Court of International Justice set up by the League of Nations, but no affirmative action was taken by the Senate until 1926. The European powers refused to accept the American reservations which then were made.

The Republican party proved itself true to the McKinley traditions of a protective tariff. In May, 1921, an emergency tariff act was passed (President Wilson had vetoed a similar one before he left office), imposing duties on cereals, meats, wool, and sugar. In 1922 the Fordney-McCumber act, the highest tariff since the Civil War, was passed. An innovation in this bill was a provision granting the President, upon recommendation of the tariff commission, power to raise or

lower duties, the change, however, not to exceed 50 per cent of the rate provided in the bill. This power, when exercised by Harding and Coolidge, in most cases has resulted in higher rates. The bill was a party measure, but received slight Democratic support and some Republican opposition. It passed just before the Congressional campaigns of 1922, in which the Democrats made big gains in both Senate and House. An attempt by Harding to secure a ship subsidy act was defeated by a filibuster in the Senate, in 1923.

The parties have given evidence of an inclination to divide on income tax rates. The original tax was made in the Underwood-Simmons tariff law. The increases made during the war were not of a partisan nature. Reductions were made in 1921, 1924, and 1926, with the Republican policy more favorable toward cutting down the higher sur-taxes and the Democratic, with progressive Republican support, of decreasing the tax rates on the smaller incomes.

Republicans also have insisted that big corporations should have greater relief, but the Democrats so far have not united with them in all respects in this reform.

When Congress convened in 1923, Harding had been succeeded by Coolidge, and the actual control of both Houses was in the power of the Democrats, acting with a group of Western progressive Republicans. A large part of the debate in the Senate was over investigations of oil leases made by former Secretary of the Interior Fall, of the connection therewith of Secretary of the Navy Denby, and of the activities of the Department of Justice under Attorney General Daugherty. The records made by these men led the Democrats to believe that success would be theirs in the Presidential election of 1924. The Republicans met at Cleveland, in June and nominated Coolidge, with General Charles G. Dawes of Illinois for Vice President. The platform recognized the opposition of the party to American participation in the League of Nations and endorsed the World Court. The platform endorsed the work of the Limitation of Armaments Conference, urged the calling of another disarmament conference, declared strongly against the cancellation of foreign debts, favored reorganization of the executive departments, reapproved belief in the protective tariff, promised aid in highway construction, favored the proposed child labor amend-

ment, urged consolidation of railroads and scientific readjustment of rates, approved creating a department of education and relief, and pledged continuance of party policies on water power, conservation, the Philippines, commercial aviation and the army and navy, endorsed the proposed anti-lynching law, and favored law enforcement without specifying prohibition. The Democrats met in New York, in July, proposed a referendum on the question of the League of Nations, and urged affiliation with the World Court. The convention debated a plank denouncing the Ku Klux Klan by name, which was rejected by a majority of four and one-half votes. This offended many members of the party, and while the candidate of the convention denounced the organization in the campaign, as did LaFollette, with Coolidge silent, the Democrats lost many votes. The convention was deadlocked for many days between former Secretary of the Treasury McAdoo and Governor Alfred E. Smith of New York and finally John W. Davis, of West Virginia and New York, former ambassador to Great Britain, was nominated. Governor Charles W. Bryan, of Nebraska, was nominated for Vice President. The platform denounced the tariff, the Mellon tax plan, and endorsed revision of the Esch-Cummins railroad act, recovery of the naval oil reserves, Government regulation of the anthracite coal industry, the proposed child labor amendment, preservation of states' rights, and Philippine independence. It charged that the Republicans had failed to enforce the prohibition statutes, and pledged general law enforcement. A group of independent progressive voters, with the backing of the railroad brotherhoods, met in Cleveland and nominated Senator LaFollette, of Wisconsin, for President. Later, Senator Burton K. Wheeler of Montana was given the nomination for Vice President. The Socialist party accepted these nominations. The platform, adopted by both the independent progressives and the Socialists, demanded crushed private monopoly, public ownership of the nation's water-power, retention of sur-taxes, excess profits and inheritance taxes, repeal of excessive tariff duties, reconstruction of the Federal Reserve and Farm Loan systems, repeal of the Esch-Cummins law, abolition of the injunction in labor disputes and the right of judges to commit for contempt without jury trial, election of Federal judges for limited terms, passage of the proposed

child labor amendment, a deep waterways from the Great Lakes to the Gulf of Mexico, revision of the Versailles treaty, and reduction of armaments. The administration's foreign policy was termed to be in the interest of the international bankers. LaFollette had the active support of the Farmer-Labor party in Minnesota, and the Non-Partisan League in North Dakota. These organizations had both of the members of the United States Senate from their respective states. The Prohibition, Commonwealth Land, Socialist Labor, and Workers parties were among the minor groups making nominations. The Republicans made their principal argument over the possibility of LaFollette securing control of the Government. LaFollette cut very heavily into the Democratic strength outside of the South, although Davis received a larger popular vote. LaFollette carried only Wisconsin. Davis got the lower South and Oklahoma. Coolidge got the rest. In several of the Western states, the Democrats voted for LaFollette Presidential electors with the object of throwing the election into Congress. Had this been done, Bryan probably would have been elected Vice President by the Senate, and the House might have chosen Davis. It never would have selected Coolidge.

President Coolidge had larger Republican majorities in both Houses of the first Congress of his second term. Even then, the Senate rejected his choice for Attorney General, Charles B. Warren of Michigan, in 1921. In the Congressional elections of 1926, the Democrats gained about ten members of the House and brought their total membership in the Senate up to 47 as against one Farmer-Laborite and 48 Republicans, including Vare, of Pennsylvania, and Smith, of Illinois, whom the Senate excluded.

Assuming President Coolidge's declaration "I do not choose to run" of 1927 to be final for the 1928 convention of the Republican party, the race is somewhat open to several contenders, the principal ones being former Governor Lowden of Illinois, Vice President Dawes, Secretary of Commerce Hoover and Senator Curtis of Kansas. Governor Smith, four times chosen as executive of the Empire state, is the leading Democratic contender, with the disadvantages of being wet, a Roman Catholic, and of affiliation with Tammany. If Smith is nominated, and can hold all of the South-

ern and border states which are normally Democratic, it seems possible that with New York and New Jersey, which he probably would carry, and strength he might show elsewhere, his chances of election are at least fair.

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140 PARTY PRINCIPLES AND PRACTICAL POLITICS

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Questions

1. When the Wilson administration assumed control, did the Democratic party have a mandate from the majority of the voters?
2. In crises was Wilson able to secure much legislative support outside his own party?
3. Was Wilson's hold on his own party strong?
4. What tariff law was passed when Wilson assumed office and what was its character?
5. What effect did the use of the caucus by the Democrats have during Wilson's first term?
6. What other measures constituted the legislative program of Wilson's first administration?
7. What was Wilson's position on Panama canal tolls?
8. What did the elections of 1914 show?
9. What was the Adamson law and its political effect?

10. What was the Republican attitude toward Wilson's foreign policy?
11. Was Roosevelt a candidate in 1916?
12. Whom did the Democrats and Republicans nominate in 1916?
13. Whom did the Progressives support in 1916?
14. Did Wilson's foreign policy do him more harm than good in the campaign?
15. How was the old Bryan influence helpful in re-electing Wilson?
16. What particular action of Wilson cost the Democrats many votes in 1918?
17. What two groups of Republicans opposed the Versailles treaty with the League of Nations covenant?
18. Who were the Republican and Democratic candidates in 1920?
19. What was the principal issue of the campaign of 1920?
20. What were the results of the election of 1920?
21. What were the principal points in the Harding foreign policy?
22. What was the tariff history of the Harding administration?
23. What differences have the Republicans and Democrats shown on the income tax rates?
24. What was the party situation in Congress when President Coolidge took office?
25. Name the Republican, Democratic, and Independent Progressive Presidential and Vice Presidential candidates in 1924?
26. What handicap did the Democrats suffer as a result of their convention in 1924?
27. What states did the Democratic and Independent Progressive candidates carry in 1924?
28. What was the result of the Congressional elections of 1926?

CHAPTER XI

PARTIES OF TO-DAY

Country normally Republican.—If a full vote were polled at any Presidential election at which the voters supported the candidates of their nominal party allegiance, the Republicans probably would receive close to three million votes more than their Democratic opponents, on account of the large preponderance of Republicans in a majority of the states. The Democrats have a very large majority of the qualified voters in the states of the lower South, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Tennessee, Arkansas, and Texas; yet in Tennessee, the Republicans carried the state for the Presidency in 1920, and occasionally elect a governor when the Democratic party is split. The Democrats have nominal majorities in the border states of Maryland, Kentucky, Missouri, and Oklahoma, although the political pendulum swings back and forth. Arizona and New Mexico may be classified as slightly Democratic normally, largely because of the migration of voters from Texas and other states of the South. The other thirty-one states are normally Republican, although in many of them the ratio is no greater for the Republicans than that enjoyed by the Democrats in the border states.

It is obvious, then, that the Civil War still influences party lines in this country, although more than sixty years have passed since its close. New England, the hot-bed of abolition sentiment, probably would contain hardly enough Democrats to serve as election officials and fill the tickets at election time, were it not that this section had a large migration from Europe which has been uninfluenced by the Civil War and which has affiliated itself largely with the opposition party in New England. The only section that is Democratic is the South, because there it means, everything else disregarded, a

question of Caucasian domination. Louisiana for many years has sent to Congress two senators and four representatives, who agree fundamentally with the Republican party on economic questions. They must run as Democrats and vote for Democratic organization in Congress, because if a strong Republican party were built up in the state, it might mean increased exercise of the franchise by the negroes. The North Middle Atlantic states of New York and New Jersey, which have had Democratic governors most of the time in recent years, would be overwhelmingly Republican, since the older Anglo-Saxon stock is principally Republican, had there been no immigrants arriving there from Europe since the Civil War. Pennsylvania, of course, being the banner protection state of the Union, is overwhelmingly Republican. In the Middle Western states of Ohio, Indiana, Illinois, Michigan, and Wisconsin, the Republican party predominates. The normal majorities in Ohio and Indiana are much lower than in the other three states. In fact, of the eleven gubernatorial elections in Ohio since 1903, nine have gone Democratic. There was considerable Southern sentiment in the Ohio river states of Ohio, Indiana, and Illinois during the Civil War, and this influence always has been Democratic. The states of the West Central, Rocky Mountain, and Pacific regions, with the exception of Arizona and New Mexico, are all normally Republican. This alignment is due partly to the fact that they drew most of their settlers, many of whom were veterans of the Union army and affiliated for the most part with the Republican party, from the North following the Civil War.

Sectional variance.—The personnel of the parties varies with the sections. A graduate of Vassar College from Fall River, Massachusetts, married into a southern Illinois family, and was amazed when she took up her abode in her husband's town to find that most of the women in the bridge club which she joined were married to men who voted the Democratic ticket. Affiliation with the minority party almost means social ostracism in some cases. Were a blue-blooded resident of the north shore of Massachusetts to move to aristocratic Charleston, South Carolina, and attempt to organize the Republican party locally, he would find himself socially ostracized. Conversely, a member of the first family of Virginia from Richmond would have difficulty in moving in exclusive circles in

Boston, if his principal activity since his arrival in Massachusetts had been in Democratic politics.

In a country so large in area as the United States and of such diversified interests, it would be most unusual to find the personnel of the parties the same throughout. The employers and employees of the manufacturing industries of the East think along lines entirely different from those of the farmers and ranchmen of the West. Doubtless, a majority of the people living east of the Mississippi river, never have been west of it, and perhaps this is true also of a majority living east of the Alleghenies. There is even considerable difference between the members of the same party in different sections of a big state.

Racial allegiances.—The bulk of the descendants of the pre-Revolutionary white settlers, with the sole exception of those in the Southern and border states, are preponderantly Republican. In the South and in the border states, these people are largely Democratic. There are exceptions even in these sections. In the mountains of Kentucky and Tennessee these people are as strongly Republican as they are in most sections of the North, and in the southern and south central portions of Ohio, Indiana, and Illinois and in a few counties in Pennsylvania they are mostly Democrats. The descendants of the African slave are almost unanimously Republican everywhere except in the Harlem district of New York City, where they are closely divided in their political allegiance between the two major parties.

Persons of German descent are largely Republican. This is not universally true, particularly in Pennsylvania where many of the "Pennsylvania Dutch" counties are Democratic. Nor is it true of the Shenandoah valley "Dutch" in Virginia, an off-shoot of the Pennsylvania stock, who, because of local reasons, like the rest of the white vote in the state, are largely Democratic. Most of the persons of German descent, excepting those elements of pre-Revolutionary settlement in Pennsylvania and Virginia, are of stock which has come to this country since 1850. Most of this stock saw Civil War service in the Union army, and became Republican. The McKinley "sound money" standard of 1896 appealed to their conservatism more than Bryan's financial policy. Then a large Democratic element became alienated during the World War. Cin-

cinnati and Louisville have been Republican generally since the war because of the large German element which believed that President Wilson did wrong in leading the country into war against the Fatherland.

The real Irish, or rather the Catholic, element which emigrated to this country from outside Ulster, always has been principally Democratic. These people affiliated themselves with Jefferson and renewed their allegiance to Jackson, and the party always opposed movements of nativism which would have excluded them from office—an exclusion desired by the Federalists and Whigs in some cases. The Democratic party never could win a national victory without the support of this group, and no class of people has done better in professional politics. The Democratic party rapidly is increasing its strength in New England because of this element. The more conservative "true Yank" generally votes the Republican ticket and has a small family. His Irish neighbor probably votes the Democratic ticket and has a family two or three times as large. The influence of the Roman Catholic church always has been against birth control. This element of the large family may make Massachusetts and New Hampshire and perhaps other New England states normally Democratic in the time of another generation.

The Scandinavian element, particularly influential in the political life of Wisconsin, Minnesota, Iowa, and the Dakotas is largely Republican. This allegiance is not easy to explain, unless it is that their European political affiliation was more conservative than it could be with the Democratic party in this country. Then, again, they settled in Republican states; yet these same people were the vanguard of the Greenback, Populist, Non-Partisan League, and Farmer-Labor radical political movements.

Head and tail strength.—The Republican ticket ordinarily is stronger at its head than at its tail. This statement, however, is not true of the campaign of 1916, when President Wilson carried through with him to victory several Democratic candidates for United States senator, governor, and representative in Congress. The pivotal states of New York, New Jersey, and Indiana, for example, have gone Democratic since 1892 for Presidential electors in only one campaign, 1912, at the time of the Roosevelt Bull Moose movement;

yet these states frequently elect Democratic United States senators and governors. Ohio has gone Democratic for President but twice since that period, and yet a part of the Democratic state ticket generally is elected. This is true even of campaigns for county offices in the Northern states, where often the Democratic local candidates run far ahead of the Presidential electors. Then, there is a considerable element in several of the states, Maryland being one, that believes Republican national and Democratic local success means prosperity.

Class interests.—Undoubtedly, nationally, capital is in favor of the Republican party. This preference does not hold in the states of the South where business interests are affiliated with the Democratic party as a matter of course. Again, local business interests may support a Democratic candidate for the governorship or other office because he is considered more favorable to the commercial element than is his Republican opponent.

Organized labor probably is more largely Democratic than Republican—possibly because of the individual preference of the union voter for Democratic candidates rather than because of the attitude of the American Federation of Labor which endorsed Bryan in 1908, Wilson in 1912 and 1916, and Cox in 1920. It endorsed LaFollette in 1924, but there is no certainty that he received a larger labor vote than did Davis, although possibly he did.

The farmer can hardly be said to have voted as a group, and yet in several states he has been aroused to concerted action. This was true in Greenback and Populist days and more recently in the case of the Non-Partisan League in North Dakota, and to a lesser extent in South Dakota and Montana, and also in the case of the Farmer-Labor party in Minnesota. The Farmer-Labor party has sought to unify the farmer and labor vote, but there is little in common economically between the two groups and such a class combination is illogical. This party may have nominated its last candidate.

Urban and rural vote.—Often, in states, there is somewhat of an urban versus rural alignment in politics. Even where this is true in part, the urban element does not vote unanimously or nearly unanimously, and neither does the rural. In Massachusetts, the principal Democratic strength lies in

Boston and a few of the other cities. The rural area and the smaller cities are largely Republican. In New York, New York City and Albany are largely Democratic and the other cities are slightly Republican, the rural counties being strongly Republican. In Illinois, the percentage of Democratic voters is much stronger in Chicago than down-state. In Pennsylvania, however, candidates on the Democratic state ticket, outside of Philadelphia and Pittsburgh, occasionally have a plurality, but the big cities give large Republican leads. In Missouri, the rural areas are largely Democratic; while St. Louis, because of the colored and German vote, normally is strongly Republican. In Ohio, the proportion is about the same in both the urban and rural areas, and in Maryland both Baltimore and the rural districts of the state are normally Democratic. However, on the whole, outside of the South where the ratio is the same in both places, the Democrats are stronger in the cities than in the rural districts. This state of affairs is somewhat inconsistent with the views of Thomas Jefferson, generally regarded as the founder of the Democratic party, for he looked with fear upon the "mobs" of the cities.

Up to the present, prohibition has had relatively little influence on the strength of the parties nationally, but in state contests it is an issue which has overturned party lines. The Democrats in New York and New Jersey, where their greatest strength is in the cities, have been fortunate enough in most campaigns in having the "wet" end, in questions of state enforcement of the Eighteenth Amendment. It undoubtedly has won for them both gubernatorial and senatorial victories. It seems difficult for a "wet" to receive a nomination for a state office in a Republican primary in the North; yet Vare won the Republican senatorial nomination in Pennsylvania in 1926, but the dry opposition was divided between two candidates. Vare's opponent in the election was a dry Democrat. Generally, where there is a contest for a state office, the "wet" is on the Democratic ticket and the "dry" on the Republican. Rarely is there a Democratic "dry" against a Republican "wet," and often both are "dry" and occasionally both "wet." If either party ever would select a "wet" for President in a campaign where prohibition was one of the predominating issues, the Democrats would be more likely to make such a nomination than the Republicans.

Religious influence.—There never has been a natural political division in this country along religious lines. Such organizations as the present-day Ku Klux Klan have opposed candidates because of their religious views, but no church ever has sought to vote as a unit. All of the Presidents of the nation have been nominally Protestants. Undoubtedly, a large majority of the Roman Catholics are Democrats, but this is not on account of church influence but because of racial ties. The Irish, as stated before, are largely Democrats and the true Irish stock in Ireland is devoutly Catholic. The French Catholics of Louisiana are, as a matter of sectional location, Democrats. There are many German, Italian, and Polish Catholics and they are not nearly as preponderant in one party as these same Irish and French Catholics. There are now five Catholics in the United States Senate; all are Democrats. Most, if not all, of those Catholics who have been in the Senate in the past have been Democrats—a fact which is probably true also of those holding the office of governor. If a Catholic ever is nominated for President, the Democratic party probably will first make such a nomination, since the Catholics in that party are much more prominent than in the Republican.

It can truthfully be said that the majority of the Scotch Presbyterians of the North are Republicans, but the same element, for sectional reasons, is almost unanimously Democratic in the South. In fact, the churches of the country split on sectional lines, prior to the Civil War, before parties did. There is no Protestant denomination that is more than 80 per cent for one party. Undoubtedly, the Congregational and Unitarian churches, whose greatest strength is in New England, are largely Republican in membership. This affiliation is to be expected, since they draw from the old Anglo-Saxon element of the population, which is strongly Republican there.

The Jews have divided their allegiance between the two parties, although a majority of the Jews in Congress are and have been Democrats. Many Jews, particularly in New York City, are affiliated with the Socialist party. In Chicago, most of the Jewish judges are Republicans.

Churches may take an interest in politics. Often they do. Individual priests and preachers have advised their parishion-

ers how to vote, and yet in no case has a man been excommunicated because he did not follow such suggestions. The Methodist Episcopal church set aside one day for prayer that President Andrew Johnson would be removed from office at his impeachment trial. There are several counties in this country where every officeholder is a member of the Baptist church, and yet there are many other flourishing congregations in these same sections.

Undoubtedly, most children inherit their religious affiliations from their parents, and similarly most people vote the party ticket of their ancestors. There may be other elements, such as the Caucasian domination in the South, which enter, but the fact remains that politicians expect the children to vote as their fathers, and they are so classified, as a rule, in the party polling books.

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Questions

1. Is the country normally Republican or Democratic?
2. In what states do the Democrats have a majority of the voters?
3. How do the Civil War traditions still influence political divisions?
4. What element of Civil War days gives the Democrats certain strength in southern and central Illinois, Indiana, and Ohio?
5. Is the Republican party, the party of wealth, also the party of the aristocracy?
6. Do the parties contain the same classes of membership throughout the country?
7. The descendants of the pre-Revolutionary white settlers affiliate with which party?
8. What are the politics of most of the persons of German descent?
9. The real Irish element affiliates with which party?
10. The Scandinavian element belongs to what party?
11. Does the Republican party have the greatest strength at the head or the tail of the ticket?

150 PARTY PRINCIPLES AND PRACTICAL POLITICS

12. What states in recent years have shown a tendency to choose Republican Presidential electors but Democratic governors?

13. Capital, nationally, favors which party?

14. Organized labor generally favors which party?

15. Does the farmer vote as a group?

16. Is there a distinction between the rural and urban vote?

17. Has prohibition much influence on the parties nationally?

18. Do the Catholics vote as a unit?

19. What are the political affiliations of the Scotch Presbyterians?

20. To what party do most of the Congregationalists and Unitarians belong?

21. Do the Jews divide along political lines the same as other people?

22. Do churches ever interest themselves in politics?

23. Do children ordinarily vote as their parents in politics?

CHAPTER XII

SUFFRAGE

Colonial suffrage.—Only men voted in the Colonies. Lady Moody of Long Island and Mrs. Margaret Brent of Maryland were the only two women, apparently, who wanted to do so, as far as records show. Male suffrage as a practice was so firmly recognized that most of the colonies did not even take the trouble to exclude women by statute, as did Virginia, in 1699. South Carolina, Georgia, and Delaware had positive restrictions to the male sex. The pronoun "he" appeared frequently in the statutes in other colonies. The word "freeman" would have excluded women in many colonies.¹ The statutes in all of the Colonies but New Jersey and Maryland defined the voting age as 21, and in those two colonies too, it doubtless was enforced. Non-freemen in Massachusetts, in order to vote in local governmental matters, had to be 24 and, between 1664 and 1686, non-church members also had to be the same age. New Hampshire for a short time had the age of 24 for all elections.²

North Carolina, in 1715, excluded negroes, mulattoes, and Indians from the franchise; Virginia did the same in 1723. In 1716, South Carolina inserted the word "white" in her election law. Georgia made the same restriction in 1761. The North Carolina statute was repealed in 1734-5. The English principle that no foreigner could exercise political rights was extended to the Colonies. The Huguenots in South Carolina were the only people for whom exceptions were made.³

New England enforced religious qualifications more rigidly than the Colonies elsewhere. Massachusetts, from 1631 until

¹ A. E. McKinley, "The Suffrage Franchise in the Thirteen English Colonies in America," (1905), pp. 473-474.

² *Ibid.*, p. 473.

³ *Ibid.*, pp. 474-475.

1664, required church membership of freemen, but after 1664 certain exceptions were made. New freemen, under the law of 1664, were compelled to produce certificates from their local ministers that they were orthodox in their religious beliefs. Freemen of New England had to be members of some approved church. Plymouth disfranchised those who set up churches without approbation of the authorities. Connecticut enforced religious uniformity. In the middle of the seventeenth century, the Quakers were outlawed in all of the Colonies from Virginia to Massachusetts with the exception of Rhode Island. The Baptists were shown but little more leniency. New England always was hostile to Catholics. The changing course of English politics was reflected in their treatment in other colonies. During the Commonwealth movement Romanists were disfranchised in England. After the Revolution of 1688 they were disfranchised for a short period in both Maryland and New York. From 1680 to 1682, New Hampshire limited the franchise to Protestants. Rhode Island limited suffrage to Protestants in 1719. In 1699, Virginia disfranchised "recusant convicts." Two years later, Catholics were excluded from New York elections. Maryland, in 1718, Rhode Island, in 1719, and South Carolina, in 1759, took action. Pennsylvania, in 1682, restricted suffrage to believers in Christ and South Carolina, in 1716, made Christian belief essential. New York, in 1737, disfranchised Jews.⁴

Qualifications of good character were not uncommon in New England. Connecticut, in 1657, 1659, and 1662, required candidates for freemanship to be of "peaceable and honest conversation." Massachusetts, in 1664, required of such candidates who were non-church members that they be "not vicious in life." Plymouth, in 1658, disfranchised liars, drunkards, swearers, and those refusing to take the oath of fidelity to the government. Rhode Island's "civil conversation" and "obedience to the civil magistrate" were taken from the instructions to the king's commissioners of 1664, being adopted in part by Plymouth in 1669. New Hampshire copied the good character clause of the Massachusetts law in 1680. The Rhode Island freemen from 1746 to 1767 swore that they would use no bribery or dishonest methods in

⁴ *Ibid.*, pp. 475-476.

elections. Penn's English laws excluded persons convicted of ill fame or of unsober and dishonest conversation. Virginia, in 1762, excluded convicts during the time for which they were transported.⁵ Because of the close life of the towns and restrictions upon the reception of inhabitants in New England, a formal term of residence rarely was required. In Maryland, in 1642, a voter need not hold land nor possess a definite place of residence. This was true also of Virginia and the Carolinas, for a time, but soon in these colonies suffrage was limited to housekeepers. Freeholding and tax paying soon followed, this implying residence or an interest in its concerns. By the Revolution, Maryland required residence in the county by the personal property qualification. North Carolina and Georgia required a six months' residence in the province. South Carolina required but three months' residence. Pennsylvania and Delaware required two years. New Jersey required one year in the county, city, or town where the election was held. A New York freeholder had to hold his lease three months before the election. Virginia, New York, and New Hampshire were without definite residence requirements.⁶

Property requirements were imposed in many of the colonies in the seventeenth century and in all during the eighteenth. In some there was no particular kind of property required. Rhode Island, between 1665 and 1723, required merely "competent estates." South Carolina, by laws of 1692 and 1716, required voters to be worth £10 and £30 respectively. Connecticut required £30 in 1657. Plymouth required £20 of rateable taxable property in 1669, New Hampshire in 1681, and Connecticut in 1662. Some colonies limited the necessary property to freehold alone. No minimum size or value was required in Virginia from 1676 to 1736, in West Jersey between 1682 and 1699. A less liberal policy followed. A minimum freehold was measured in one of three ways: as in England by requiring a definite income from land, by fixing a certain value of freehold, or by requiring a certain size in acres or town lots. The first of these in the form of 40 shilling income from freehold estates, was used by New York from 1683 to 1699. New

⁵ Ibid., pp. 476-477.

⁶ Ibid., pp. 477-478.

Hampshire used it from 1699 to 1727. Rhode Island, from 1723 to 1730, and after 1760, Connecticut after 1689, and Massachusetts after 1691. In the last two cases some form of alternative was permitted. In New York, after 1699, a value of £40 was required in each freehold, and £50 in New Hampshire after 1728. Rhode Island, in 1723, imposed a value of £100 or an income of 40 shillings, which was changed in 1730 to £200 or £10 income, and then doubled in 1746 owing to paper money depreciation. After 1760 it was changed to £40 value in lawful money or 40 shillings in coin. South Carolina, after 1745, permitted freeholders in towns to vote if they possessed £60 value of taxable land or houses in town. The colonies to the south of New York expressed freehold in acres or lots rather than in value or income. New Jersey, after 1702, required the minimum amount, without personalty, to be 100 acres. Pennsylvania, after some slight changes, required 50 acres, 12 of which had to be cleared, as in Delaware. Maryland, after 1670, also required 50 acres. Virginia, in 1736, expressed the size of the freehold to qualify the voter to 100 acres of unsettled land or 25 acres with a house and plantation, or a house and lot in some legally established town. In 1762, the requirement was changed to 50 acres of unsettled land and the house was required to be 12 feet square. North Carolina, in 1735, and Georgia, in 1754, possessed 50-acre qualifications, which was changed in 1745 to a settled plantation, or 300 unsettled acres, or taxable lands and houses in towns to the value of £60. The requirement of 300 acres was reduced to 100 in 1759. At the close of the Colonial period there were six colonies which gave an alternative of tax payment. Massachusetts and Connecticut allowed a personal property requirement of £40 in lieu of the real. Delaware and Maryland accepted the same amount in lieu of 50 acres. Pennsylvania equalized 50 acres with £50. New Hampshire, from 1699 to 1726, permitted voting by people owning 50 acres of personalty with any amount of land in lieu of the regular freehold. South Carolina, from 1704 to 1721, had a personalty qualification at first of £10 and later of £50, as equivalent to 50 acres. South Carolina was the only colony at the time of the Revolution requiring tax-paying as a requisite for voting. In 1721, persons paying 20 shillings were permitted

to vote. This practice was discontinued in 1745 but re-imposed in 1759, with a reduction to 10 shillings. At one time or another all of the colonies required tax-paying. Virginia required it as early as 1656, North Carolina from 1715 to 1735 and in 1664, tax-paying was required of non-church members in Massachusetts.⁷

In New England corporations and in the towns of Rhode Island and New Haven a further qualification was imposed in the oath of "charge" or "fidelity" to the government. Plymouth placed voters on probation in 1636 until the next court, and in 1658 extended the period to a year. Connecticut, after 1662, required a probationary period of six months, and Rhode Island after 1762 required three months. Massachusetts had a probationary period for non-church members between 1673 and 1683. Connecticut and Massachusetts required ecclesiastic certificates that the desired property or moral qualifications were met. Plymouth, in 1656, required the approval of the freemen of the town and later the candidates had to be proposed to the court by the town deputies. Rhode Island first made a distinction between colonial and town freemen, but later a town freeman could get the colonial franchise as a matter of course. In Rhode Island, after 1723, if the eldest son of the freeman-freeholder had attained legal age, he had political rights. Occasionally, as in New York, New Jersey, and North Carolina, different communities of a colony had different requirements for local franchise.⁸

The only university franchise in the Colonies was at the College of William and Mary in Virginia, where the president and six masters chose a member of the house of burgesses.

Universal white manhood suffrage.—The framers of the Constitution made no effort to establish a national suffrage. They provided that members of the House of Representatives should be chosen by those qualified to vote for the most numerous branch of the state legislature and let it go at that.⁹ To have attempted to have set up a standard to be observed in all of the states would have meant the possibility of a deadlock in the convention or defeat of ratification by the states.

⁷ Ibid., pp. 478-481.

⁸ Ibid., pp. 482-483.

⁹ Carrie Chapman Catt and N. R. Shuler, "Woman Suffrage and Politics," (1922), pp. 75 et seq.

The thirteen states went through the Revolution without providing general manhood suffrage. Suffrage changes were, as has been noted, frequent during the Colonial period and there was the usual variance in the years of the Revolution and those which immediately followed. The general tendency was toward a greater extension. The propertied classes held the upper hand during the Revolution. It did not seem to them the masses should have the ballot. Massachusetts made her qualifications more stringent, requiring a freehold yielding £3 or personalty of £60. Maryland reduced her personalty requirement to £30. New York set the freehold requirement at £20 with an alternative of a 40 shilling leasehold, and also required the payment of taxes. South Carolina required a 50-acre freehold or a town lot or the payment of a tax equal to that on 50 acres. New Jersey gave an alternative of personalty, but required a freehold of £100 for the election of state senators. Georgia gave a personalty alternative and permitted mechanics to vote. North Carolina, for the election of assemblymen, and Pennsylvania for all elections, required tax payments only without specifying the amount.¹⁰ New Hampshire in 1784, Georgia in 1789, and Delaware in 1792, adopted tax-paying as the sole suffrage qualification. Vermont entered the Union with virtual general manhood suffrage in 1791, and was followed by Kentucky, in 1792, and Tennessee, in 1796, influenced by the pioneer spirit of the West. Maine, likewise, entered in 1819. New Hampshire established general manhood suffrage in 1792, Georgia in 1798, and Maryland in 1810. Connecticut changed to mere tax payment in 1818, and did not grant manhood suffrage until 1845. The spirit of the pioneer for white manhood suffrage was felt in all of the states created in the West except Ohio, Louisiana, and Mississippi, which abandoned tax-paying requirements in 1851, 1845, and 1832 respectively, having entered in 1803, 1812, and 1817. New York, in 1821, conferred suffrage on all tax-payers, militiamen, or laborers upon the public highways. Negroes had to pay taxes upon a freehold of \$250. In 1826, general white manhood suffrage was established. Massachusetts yielded to

¹⁰ U. S. Constitution, Art. I, Sec. II, par. I.

tax payment in 1821, and did not change until 1891. Virginia admitted leaseholders and tax-paying heads of families to the suffrage along with the others qualified in 1830. New Jersey established manhood suffrage in 1844, Virginia in 1850, and North Carolina in 1856. Rhode Island, in 1842, following the Dorr Rebellion, gave suffrage to all native-born citizens paying a poll tax of \$1, but required for foreign-born citizens a property test which was not abandoned until 1888.¹¹ Rhode Island always has required a tax payment on property valued at \$134 in order to vote for members of the city council or for propositions to expend money in any town or city. The Democratic governor and lower house of the legislature attempted to change this in 1922-23, but were balked by the Republican senate. North Carolina did not confer general manhood suffrage until 1868, when it was done for the benefit of the negroes. Delaware did not yield her tax payment until 1897, and when she did the state went from the Democratic to the Republican column in most elections, partly because of the large number of negroes who then became voters. Payment of poll taxes still is necessary in Massachusetts, Nevada, New Hampshire, and Pennsylvania.

The influence of the Jacksonian democracy was instrumental largely in the broadening of the suffrage qualifications. It was felt last in New England where the Jacksonians always had had the hardest fight. Following the Civil War and the adoption of the Fifteenth Amendment, the states generally, leaving out the big exception of woman suffrage, were active in restricting the number of voters rather than increasing it.

Negro suffrage.—The first attempt of the Federal Government to interfere with the rights of the states to control their own standards of voting, as one of the problems of Reconstruction following the Civil War, was that of the proposal to enfranchise the negro. Negro suffrage was one of the cardinal Republican party policies. At the outbreak of the Civil War, the negro was permitted to vote in Maine, Massachusetts, New Hampshire, and Vermont. New York permitted him to vote under certain property qualifications. Illinois, in 1862, determined to exclude negroes from suffrage by a ma-

¹¹ Francis N. Thorpe, "Constitutional History of the American People," (Callaghan and Co., Chicago, 1901), vol. i, pp. 68 et seq.

majority of 176,271, in a total vote of 247,569.¹² Colorado, Connecticut, Minnesota, and Wisconsin rejected negro suffrage in 1865.¹³ In 1867, the year of the Reconstruction acts, Kansas, Michigan, Minnesota, and Ohio rejected proposed state constitutional amendments extending the franchise to the negro. In 1865 and 1867, when these amendments were voted upon, the larger part of the Union soldiers had returned to their homes and many had made their influence felt politically. Undoubtedly, they were not a unit in favor of enfranchising the negro.

Doubtless, a spirit of altruism inspired many to favor granting suffrage to the freedmen. Many high-minded citizens of the North went to the South to volunteer as teachers for the former slaves. Others who remained at home and favored negro suffrage could not have realized the misery that was to befall the South in the era of the "carpet bagger" and the "scalawag," in the Reconstruction period, largely because of the enfranchisement of the negro. The political consideration probably was the largest factor. The Republican party wanted to perpetuate its control of the Southern states. Their votes in Congress and in the electoral college were of inestimable value. This was obvious to the contemporary politician of the day. When Grant, the leader of the victorious Union armies, was the Republican Presidential candidate in 1868, he defeated former Governor Horatio Seymour of New York, who had been a critic of the Lincoln politics, but he won only because he received the electoral votes of several of the Southern states on account of the unnatural political conditions existing there. Had Seymour carried the states of the South, which of recent years have been Democratic, the Republican control over national affairs soon might have terminated altogether. The enfranchisement of the negro by Federal action was expected to give the Republicans perpetual control over enough of the former rebellious states to guarantee Republican control nationally. Naturally, it was expected that the negroes politically would identify themselves with the party which had brought about their enfranchisement.

The first step in the program of the Republican leaders to

¹² Jacob Frieze, "A Concise History of the Efforts to Obtain Extension of the Suffrage in Rhode Island," (1842, 3d ed., 1912.)

¹³ Alfred Holt Stone, "Studies in the American Race Problem," (1908), p. 33.

bring about negro suffrage was the Fourteenth Amendment, submitted in 1866 and ratified in 1868, which provided, in part, for the reduction of representation in Congress proportionately to the number of adult males denied the right to vote by any state. If the Southern states denied the franchise to the negroes, they would suffer a decreased representation in the House.

The next step was the Reconstruction act of March 2, 1867. It provided, among other things, that senators and representatives would be admitted to Congress when the states had ratified the Fourteenth Amendment, and adopted constitutions of which Congress approved. The act required that negroes must be allowed to vote in the choice of delegates to these conventions, and also in the work of ratification, and that negro suffrage must be guaranteed. Thaddeus Stevens and the other Republican leaders were aware that once the states had been readmitted to Congressional representation, there was nothing to prevent amendments to their constitutions, depriving the negro of the suffrage which had been demanded for him.

The Fifteenth Amendment was devised as the way permanently to secure suffrage in the South for the negro and Republican control of that section. It provided that "the right of citizens of the United States to vote shall not be denied by the United States or by any state on account of race, color, or previous condition of servitude." The amendment was submitted in 1869 and adopted in 1870. Its adoption was secured by duress and negro support in the Southern states. An enforcement act was passed in 1870 inflicting heavy penalties for racial discrimination, violence, threats, and bribery, but was repealed in 1894 under Democratic control.

With the withdrawal of troops from the South in 1877, following the election of President Hayes, the days of Republican control, by virtue of negro domination, ended. Former Whigs, who saw no good in the Democratic party prior to the Civil War, and moderate Republicans united with the Democrats to overthrow the nightmare which the Reconstruction had brought upon them. Extravagance and corruption in government were everywhere evident where the negroes had the balance of power. In some states the Democrats regained control by peaceful means. In others they won only through

ballot box frauds and intimidation. The old Ku Klux Klan and its kindred organizations were a factor in frightening the negro to keep him away from the polls. Even the Federal troops stationed in the South largely became sympathetic with the Democrats in their efforts to throw off the orgy of misrule. The negro had had no desire for suffrage. It had been forced upon him and he had voted as a unit, which brought about his loss of the right to vote. Only rarely did a negro vote the Democratic ticket in any of the Southern states.

In 1890, the Republicans attempted to enforce the Fifteenth Amendment through the "Force Bill," introduced by Representative Henry Cabot Lodge of Massachusetts. The bill provided that upon petition of 500 voters in any Congressional district, Federal officials representing both parties should be appointed upon the election boards. These boards were not only to supervise the elections but were to pass upon the qualifications of challenged voters and receive ballots rejected by local officials and place them in the ballot boxes. The measure passed the House on July 2, 1890, but was killed the following January in the Senate when eight silver Republican senators from the West joined with the Democrats in setting it aside. Undoubtedly, the bill injured the Republican party in the Congressional elections of 1890. The House of Representatives, in which there were two Republicans to one Democrat, defeated by 285 to 46 on May 18, 1921, a proposal to investigate suffrage conditions in the South with a view of reducing Southern representation as provided by the Fourteenth Amendment. President Coolidge recommended Congressional supervision over elections in his message to Congress in December, 1924, which might have meant Federal supervision of Southern elections, if his wishes had been enacted into law.

The negro was disfranchised first in the South by illegal means. He realized that it was useless for him to vote. If he showed an inclination to do so he probably would have been intimidated into staying away from the polls. If he presented himself at the polls, partisan election officials might have sustained a challenge against him. If he voted, his ballot might not have been counted. Then, in order to maintain white Democratic supremacy, the Southern states sought to make his disfranchisement permanent by legal means. Mississippi,

in 1890, adopted a new constitution which, while not mentioning the negro by name in confliction with the Fifteenth Amendment, contained franchise restrictions bound to exclude a large part of the black vote, even if it showed an inclination to become an active part of the electorate. A residence of two years in the state and one in the election district was required. Conviction of many statutory offenses also barred. The payment of all taxes was required, including a poll tax a year before the election. Ability to read or explain each portion of the constitution also was required. Most of the other Southern states have followed suit with similar restrictions in their constitutions.

The grandfather clauses of South Carolina, 1895, Louisiana, 1897, and North Carolina, 1907, sought to place persons and their descendants who had voted prior to 1867 on the permanent registration lists. These provisions never were passed upon by the Supreme Court. Oklahoma, in 1910, adopted an amendment to its constitution, providing that no person unable to read or write a section of the constitution could vote unless he or his ancestor voted under some form of government on or prior to January 1, 1866. The Supreme Court declared the amendment unconstitutional.¹⁴ The Court also declared unconstitutional an act of the Maryland legislature of 1908 attempting to apply the grandfather clause to municipal elections in Annapolis.¹⁵ Alabama, in 1901, Virginia, in 1902, and Georgia, in 1903, adopted constitutional provisions admitting to suffrage non-property-owning soldiers and sailors who had fought in either the Union or Confederate armies or in other wars prior to 1902, and their descendants. This would have enfranchised many illiterate whites without a proportionate number of negroes.

Only twice in the non-border Southern states have the negroes played an important part in politics since they were eliminated as a major voting factor preceding and following the withdrawal of troops by President Hayes. In Virginia, in the late 70's, a party arose which called itself the Readjuster, upon an issue of state finance. Soon a large body of Republicans joined the movement and the negroes awakened from their political apathy. They controlled the state for a short time,

¹⁴ *Ibid.*, p. 32.

¹⁵ *Guinn vs. U. S.*, 238 U. S., 347.

but in the end it returned more strongly than ever to Democratic control. North Carolina, in the late 90's, had a fusion movement between the Republicans and Populists against the Democrats. The net result was the election of three negroes to Congress and to other offices and a great orgy of corruption. The people of the state have stuck steadfastly to Democratic control ever since.

The contest in the lower South is now in the Democratic primary. By law the party is enabled to make its own rules as to the conduct of the primary, and it is easy to specify that only white persons may vote or, as in South Carolina, the few negroes who can show by white affidavits that they voted the Democratic ticket. Texas provided in 1923 by legislation that only white persons should vote in the Democratic primary. This action was declared unconstitutional by the Supreme Court in 1927 as a violation of the Fourteenth Amendment.¹⁶

Despite the fact that the negro now is barred practically from voting in the lower South, his power still is great. Whenever the Republicans carry the border states of Delaware, Maryland, West Virginia, Kentucky, Tennessee, Missouri, or Oklahoma, it is by virtue of the negro vote, cast almost solidly with the party. Illinois, Indiana, and Ohio probably never go Republican in a fairly close campaign without the aid of the negro vote. In New York City only is there an appreciably negro Democratic vote, which is largely a result of Tammany influence in Harlem. Chicago nominated and elected William Hale Thompson Republican mayor in 1927 by virtue of negro support. Unfortunately, this habit the negro has of voting as a unit causes an unnatural division between parties. The questions are not always economic. When the negro votes as a unit in the Southern and border states, he causes many whites to vote the Democratic ticket who otherwise would be inclined to be Republicans. By voting regularly in one party, he loses the patronage which he might obtain if he divided between the two major parties. The white voters have a certain antipathy to this negro vote, partly because it is generally an united vote, but largely because of the belief in racial superiority. Ohio, in 1910, refused to amend her constitution to eliminate the word "white" from the franchise

¹⁶ *Myers vs. Anderson*, 238 U. S., 368.

clause, long since made inoperative by the Fifteenth Amendment.

An attempt now is under way to build a white Republican party in the South. North Carolina Republicans have declared in their platform that theirs is a "white" party and they will countenance no appointments of negroes to office. Prominent Virginia Republicans have given the same assurance, but in 1920 their candidate for the United States Senate was a negro. Members of the "lily white" faction in Louisiana have called meetings and conventions in hotels where negroes are not allowed, but the "black and tan" faction has succeeded in getting delegates admitted to the national conventions of the party and in securing patronage. The bulk of the white people of the South are not trustful of these Republican efforts. They fear that if the Republicans won victories at the polls, the incentive to restore franchise rights to the negroes, to guarantee the perpetuity of control by the party, would be too great to be resisted.

The immigrant and suffrage.—A large influx of Irish immigrants who were for the most part laborers and members of the Roman Catholic Church reached this country between 1845 and 1855. They settled in Boston, New York, Philadelphia, Baltimore, and other cities. Between 1850 and 1855 a large number of immigrants arrived from Germany. Both elements were clannish and did not mix well with the earlier stock. A movement was begun to impose literacy tests for voters, to exclude the foreign-born. The first state to have such a provision was Connecticut, where a constitutional amendment was adopted in 1855 stating that any voter could be required to read and explain any part of the constitution or any section of the statutes. Massachusetts, in 1857, required that all voters should be able to read the constitution and write their names. Educational tests since have been adopted by Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia to make more certain the disfranchisement of the negro. Other states which have adopted literacy tests based upon ability to read their constitutions are Arizona, California, Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New York, Oregon, Washington, and Wyoming. In all of the states except New York the tests are made by election officials. In New York they are made by

educational officials. North Dakota has a constitutional provision directing the legislature to impose a literacy test, and Colorado and Idaho make it possible to do so, but these states never have adopted such legislation.

While such legislation often has been adopted for party reasons, it has some merit. It is an incentive to would-be voters to learn to read and write the English language.

Arkansas now is the only state in the Union which permits non-citizens to vote. Wisconsin, in 1848, was the first state to make this concession to those who had taken their declarations of intentions and was followed by others in the West. This was done with the idea of attracting settlers from the East, where many immigrants had landed, and yet had not completed their naturalization because of the time required, or for other reasons. Six of the states which permitted non-citizens to vote discontinued the practice during and following the World War.

Women's suffrage.—The struggle for women's suffrage in this country began in an organized sense with a convention held at Seneca Falls, New York, in 1848, in the interest of equal rights for women. Meetings and conventions were held in other parts of the country in rapid succession. The National Woman Suffrage Association and the American Woman Suffrage Association both were founded in 1869. They merged as the National American Woman Suffrage Association in 1890.

The only state in which women ever had had the right to suffrage was New Jersey. Its constitution of 1776 conferred suffrage upon inhabitants of full age worth £50. It is possible that no thought was given by the constitution framers to the idea of women voting under its provisions. Only a few women voted at first, and in 1807, when their numbers became more numerous, the legislature excluded women by limiting the suffrage to white male citizens.

The movement for women's suffrage then began in an era stirred by the efforts of the abolitionists to bring about the freedom of the slaves. Suffragists sought from the states amendments to statutes which were felt to discriminate against women, and in many cases changes were secured. The movement early enlisted in its ranks many women who affected mas-

culine dress and manners, thus injuring the cause before the public. With the advent of the Civil War and the Reconstruction period which followed, the advent of national woman suffrage was postponed at a time when many of the leaders of the movement thought it was almost within reach. The Republican party in power in Congress was too intent to make permanent its control of the South, through the enfranchisement of the negro, to permit attention to another suffrage question.

When Kansas came into the Union in 1861, the state constitution contained a clause conferring upon women the right to vote in school elections. Small in itself, it was the first victory women's suffrage secured, and it was upon such a basis that suffrage first entered twenty-two other states before the advent of national suffrage. Women were recognized as having a peculiar interest in educational matters and not only were they allowed to vote in such elections, but many were elected to school trusteeships and superintendencies. Kansas was the leader, in 1887, in another field of feminine participation in politics, when the state granted full municipal suffrage to women.

Wyoming territory, in which there was a large preponderance of male population, conferred full suffrage upon women in 1869. Two years later an unsuccessful attempt was made to repeal the measure.¹⁷ When Wyoming was admitted into the Union as a state in 1890, women's suffrage was continued despite some local opposition. Colorado conferred suffrage upon women in 1893, and Idaho and Utah, in 1896. Then there was a long period of waiting before another state entered the women's suffrage ranks. Washington conferred it in 1910, California in 1911, Kansas, Arizona and Oregon in 1912, the territory of Alaska in 1913, and in the same year Illinois conferred upon women the right to vote on all offices not mentioned in the state constitution and upon questions submitted to the voters. Illinois women thus acquired the right to vote for Presidential electors, mayors, aldermen, and a few other local officials. Wisconsin defeated woman suffrage in 1912 and 1913, Ohio, Missouri, North Dakota, South Da-

¹⁷ *Nixon vs. Herndon et al*, 47 S. C., 446.

kota, and Nebraska in 1914, Massachusetts, New Jersey, New York and Pennsylvania in 1915, and Iowa, South Dakota and West Virginia in 1916.

While the Civil War probably postponed the advent of woman suffrage, the World War hastened it. The National American Woman Suffrage Association established headquarters in Washington in 1910 and launched a campaign for an amendment to the Constitution. In March, 1914, a majority of the Senate voted in favor of the amendment, but lacking the two-thirds required, it was defeated. In December, the amendment lost in the House, 174 to 204. In the meantime, a group of suffrage workers withdrew from the older association and formed the Congressional Union, later known as the National Woman's Party. This group was composed of more militant workers, who sought to hold President Wilson and the Democratic party responsible. In the campaign of 1916 this group endorsed former Justice Hughes, the Republican candidate against Wilson. They made an active campaign against Wilson, but without a great deal of success, for Wilson carried ten of the twelve woman suffrage states and doubtless won his re-election because of the support received from women. The two organizations worked in antagonism to each other. The Association frowned upon the militant methods used by the English women. The National Woman's Party picketed the White House with the idea of influencing President Wilson, and its members courted arrest and served jail sentences. On January 10, 1918, the day after Wilson announced his conversion to Federal suffrage, the House passed the amendment, 274 to 136. Wilson was moved to take this course because of the conditions brought about by the World War. The amendment did not pass the Senate until the next Congress when, in 1919, it was submitted to the states for ratification. New York had adopted women's suffrage in 1917, and South Dakota, Michigan and Oklahoma in 1918, Illinois, in the grant of partial suffrage, was followed by Michigan, Nebraska, North Dakota, and Rhode Island in 1917, and Indiana, Iowa, Maine, Minnesota, Missouri, Ohio, Tennessee, Vermont, and Wisconsin in 1919. Arkansas and Texas, in 1917, had given the women the right to vote in primary elections. It was obvious that the amendment, once submit-

ted, would be ratified. The national committees of both the Democratic and Republican parties endorsed it, as did the party platforms of 1920. Party leaders made every effort to have the amendment ratified in time for the Presidential election of 1920, which was accomplished when Tennessee became the thirty-sixth state so doing.

The National American Woman Suffrage Association was reorganized as the National League of Women Voters. The National Woman's Party reorganized under the same name with the idea of eliminating all legal barriers against women with a Constitutional amendment.

Since the adoption of woman suffrage, the activity of women in politics has increased. The first woman to be elected to the House was chosen in 1916 and served in the Sixty-fifth Congress. Three served in the Sixty-seventh, one in the Sixty-eighth, three in the Sixty-ninth and four in the Seventieth. One woman served by appointment in the United States Senate for a short time in 1922. Texas and Wyoming chose woman governors in 1924. Others have held political offices of virtually every kind.

The two governors and the senator were Democrats. All but one of the representatives were Republicans, the other being a Democrat. In 1927, 122 women were members of state legislatures, 11 being in the state senates. Of this number, 86 were Republicans, 31 Democrats, 3 without party designation, 1 non-partisan, and 1 independent. There were more women at this time in the Eastern legislatures than in those in the West, Connecticut having 16, to 1 for Wyoming. The year before there were approximately 130 women in the legislatures. The first woman to be elected to a state senate was in Colorado, in 1904.

Illinois is the only state which, while under Presidential suffrage, had separate ballots for men and women. The results there showed that Wilson's vote among women in 1916 was almost one per cent greater than among men. It also showed women voted more greatly with the "drys" than did the men in the local option prohibition contests. Women seem satisfied to align themselves with the old parties. They vote in smaller numbers than do the men, as the registration figures in all states show.

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Questions

1. How were women excluded from the suffrage in Colonial days?
2. What was the voting age in Colonial days?
3. Could negroes vote in the southern colonies?
4. Where were the religious qualifications most rigidly enforced in Colonial days?
5. Where were qualifications of good character for voting frequently required?
6. Which section was the most liberal in Colonial times in its residence requirements for voting?
7. What was the extent of the imposition of property qualifications for voting in the Colonial days?
8. What was meant by probationary voting?
9. What suffrage qualifications were contained in the original Constitution?
10. What was the general suffrage tendency during the Revolution and the years which immediately followed?
11. How were the early extensions made?
12. What was the influence of the Jacksonian Democracy on the suffrage?

170 PARTY PRINCIPLES AND PRACTICAL POLITICS

13. Could the negroes vote generally in the North at the outbreak of the Civil War?
14. What was the tendency of the Northern states regarding negro suffrage during and at the close of the Civil War?
15. What was the principal factor which led to the attempt to grant negro suffrage by Constitutional amendment?
16. What clause in the Fourteenth Amendment was meant to influence the granting of negro suffrage?
17. What was the suffrage purpose of the Reconstruction act of March 2, 1867?
18. What was the suffrage provision of the Fifteenth Amendment?
19. How was the adoption of the Fifteenth Amendment secured?
20. When did Republican control by virtue of negro domination end in the South?
21. How did the Democrats regain control of the Southern states?
22. What was the purpose of the Lodge force bill of 1890?
23. How did the Southern states seek to make permanent the disfranchisement of the bulk of the negroes through legal means?
24. In what two states in the South since Reconstruction have the negroes played a conspicuous part in politics and with what result?
25. Where are contests in the Southern states now determined?
26. Has the negro any power in the border states?
27. Has the negro any political power in the North?
28. What attempts now are being made to build up a white Republican party in the South?
29. What influence has the illiterate immigrant had on suffrage?
30. May non-citizens vote in any state now?
31. When and where did the movement for woman's suffrage begin?
32. Had any state previously had woman's suffrage?
33. What series of events caused the movement to be retarded?
34. What state first gave women school election voting privileges?
35. What state first granted full municipal suffrage to women?
36. What territory first conferred full suffrage upon women?
37. What state first had full woman's suffrage?
38. What were the other early woman's suffrage states?
39. When did the women advocates of suffrage for their sex begin their campaign for an amendment to the Constitution?
40. What were the names of the suffrage organizations which urged the adoption of the Nineteenth Amendment?
41. Which was the more militant in its tactics?
42. When was the Nineteenth Amendment ratified?
43. Have women held many political offices since the adoption of the Amendment?

CHAPTER XIII

CONVENTION AND CAUCUS

Colonial nominations.—Nominations in the South prior to the Revolution followed the custom, in vogue in England, of being self-announced. This plan was adopted with the support of the leading planters who dictated the politics, and continued in vogue in the Southern colonies down to the Civil War. In New England and the Middle colonies this custom was followed in part. More often nominations were made by agreement among the leaders of public thought, who probably met in private conferences for the purpose.¹

New Jersey at one time had a system whereby twenty-five nominators were chosen by lot to select representatives in the Colonial legislature.² Connecticut, in 1638-9, provided that the deputies from each town were to choose two candidates, and the general court could add any additional number they desired. From this list the freeman chose the governor and six magistrates.³ The Charter of 1662 provided for the nomination of twenty assistants by the freemen of the several towns. The results were sent to Hartford, where the legislature determined the twenty highest, from which the freemen chose twelve. This system survived in Connecticut until 1817.⁴ It also existed in Massachusetts for a time.⁵

With the drawing of party lines in this country between supporters and opponents of the crown, numerous patriotic societies sprang up to espouse the cause of the Whigs. These societies nominated the Whig candidates for many elective offices at meetings which were called caucuses. The origin of

¹ Frederick W. Dallinger, "Nominations for Elective Office in the United States," (1897), pp. 4-5.

² C. F. Bishop, "History of Elections in the American Colonies," vol. iii, sec. 5.

³ "Colonial Records of Connecticut," vol. i, pp. 20-26.

⁴ *Ibid.*, vol. iv, pp. 11, 224.

⁵ "Records of the Colony of Massachusetts Bay," vol. ii, pp. 21, 286-287.

the term "caucus" is somewhat in doubt, but it probably came from a corruption of "caulkers," meetings attended chiefly by shipbuilding mechanics or caulkers at the north end of Boston. The original Boston caucus club first was quite restricted in its membership and met at the residences of members to make up the list of candidates for the annual election. Later the club held more public meetings and acted in conjunction with a committee from the merchant's club in making nominations. The North End caucus, as it later was called, was responsible for the incident of the Boston Tea Party. The South End caucus and the Middle District caucus in Boston later were organized.⁶ By the beginning of the Revolution the caucus had become well established in New England and the Middle states.

During the Revolutionary period, outside of New England, nominations for delegates to the Continental Congress and to certain other elective offices were made by branches of the "Sons of Liberty," by the committee of correspondence, or by a conference committee, composed of delegates from patriotic organizations.⁷

Congressional nominating caucus.—By general consent, Washington was everyone's candidate for President in 1788 and 1792, and there was no need of any organized effort to place him in nomination. There was no similar agreement as to a Vice Presidential candidate at that time. While there probably was no meeting to name a Vice Presidential candidate in 1792, it was understood that the opponents of Hamilton's fiscal policy would vote for George Clinton rather than John Adams.

Oliver Wolcott is authority for the claim that the first Congressional nominating caucuses were held in 1796. The Federalist members of Congress met in the summer of 1796 and agreed upon Adams for President in place of John Jay, who was unpopular because of the English treaty. At the same time it was decided that support would be given to Thomas Pinckney, of South Carolina, for Vice President. The Republican members of Congress met at the same time and agreed upon Burr as candidate with Jefferson, who was the

⁶ Dallinger, *op. cit.*, pp. 8-11, 12-13.

⁷ *Ibid.*, p. 11.

recognized leader of his party and for whose nomination no caucus was necessary.⁸ If such a Republican caucus were held it secured for Burr the support of electors in but five states, and so its authority was not recognized generally.

Undoubtedly, both the Federalists and Republicans held caucuses in 1800. There was some opposition to Adams' renomination, but a meeting of the Federalist members of Congress in the Senate chamber held early in the year recognized him as the regular candidate. At the same time, General Charles C. Pinckney, of South Carolina, was chosen as Adams' running mate. When the Republicans met in February or March, it was to placate Burr, whose friends felt he had been mistreated in the division of electoral votes four years earlier. A meeting was held at which assurance was given Burr that he would receive an equal division of the vote, and he accepted the nomination. He received this equal division and the deadlock of 1800 resulted therefrom.⁹

The caucus was a recognized institution in 1800, and from then to 1824 it was the official method of nominating candidates for the Presidency. Obviously, with the development of the party system, some method had to be selected for the nomination of national candidates, and the members of Congress were qualified, through knowledge of men and policies, to make selections. However, the caucus always was subject to attack. Senator Bradley, chairman of the caucus of 1804, was criticised because of his former position when he called one in 1808.¹⁰ The peace Republicans who nominated DeWitt Clinton in 1812 condemned the caucus as being "hostile to the spirit of the Federal Constitution, dangerous to the rights of the people, and to the freedom of the election".¹¹ In 1816 the caucus was severely criticised when William H. Crawford, of Georgia, narrowly missed securing the Presidential nomination. He had not been regarded as Presidential timber by the people of the country at large. It was he who received the last caucus nomination for the Presidency in 1824, but only 62 of the 216 Republicans attended. Despite all of the opposi-

⁸ Stanwood, *op. cit.*, vol. i, pp. 45, 58.

⁹ *Ibid.*; Dallinger, *op. cit.*, pp. 14-16.

¹⁰ "Niles's Register," vol. xxv, p. 2444.

¹¹ *Ibid.*, vol. iii.

tion at the time, his nomination carried with it enough force to place him among the three highest in the election that year, his name going before the House.¹²

Legislative nominating caucus.—The governor and lieutenant-governor were the only state officials elected by the people at large at the time of the adoption of the Constitution. Candidates of the party ordinarily were nominated at voters' meetings, which were not attended largely on account of the distances and difficulties of travel. Conventions, with delegates chosen by the party voters of the county, were held in Pennsylvania as early as 1788. Gradually, the party members of the legislature assumed the prerogative of nominating the state ticket and this became the universal practice by 1800. There was much to be said in favor of the convenience of the legislative caucus. Its members already were assembled and represented most sections of the state. At these meetings, as at the Congressional caucuses, members of the party in both houses sat. The anti-McKean Republicans of Pennsylvania called a caucus in 1808 to which they invited counties unrepresented by that faction in the legislature to send delegates. Rhode Island had a Republican caucus in 1807. Other states later permitted districts or counties unrepresented in the legislature to send such delegates. Groups so constituted were called mixed legislative nominating caucuses.¹³

Opposition to the legislative caucus arose at the time when the Congressional caucus was meeting with disapproval, and for much the same reason. The last New York legislative caucus was held in New York in 1824, the year Crawford received the nomination in Washington. Some states already had substituted the convention, others did it later, and by 1835 the convention system was the prevailing mode for the nomination of state and district officers.¹⁴ In procedure there has been little change down to the present day.

Early Presidential nominations.—Previous to 1824, as before stated, Presidential nominations were made by the Congressional caucus. The legislative caucus also served as a vehicle for the nomination of Presidential candidates. Such a nomination carried with it notice to fellow partisans of the

¹² Dallinger, *op. cit.*, pp. 17-21.

¹³ *Ibid.*, pp. 25-27; Stanwood, *op. cit.*, vol. i, pp. 170-171.

¹⁴ Dallinger, *op. cit.*, pp. 27-29.

other states of the desires of the party in a particular state as to the Presidential candidate. DeWitt Clinton was nominated in 1812 by resolution of the Republicans in the New York legislature. The caucus became a popular method of making nominations. The Republicans of the Kentucky legislature nominated Henry Clay in 1822. This method was in use as late as 1834, when Martin Van Buren was nominated by a caucus of the Democratic members of the New York legislature.¹⁵

The legislatures, by joint resolutions, also nominated candidates for the Presidency. In 1807, Jefferson's administration was endorsed by such resolutions in several states and he was asked to accept a third nomination. This method was used as late as 1835 in Alabama, when Hugh L. White was nominated by such a resolution, and in 1842 in South Carolina and Georgia, when John C. Calhoun similarly was placed in nomination.¹⁶

Presidential nominations were also made by mixed conventions composed of members of the legislative caucuses and delegates from districts without party representation. John Quincy Adams received such a nomination as early as 1823, from the Republicans in Massachusetts, and Henry Clay as late as 1843, from the Virginia Whigs.¹⁷

Another method of nomination was by resolution of a state convention. Andrew Jackson was nominated for the Presidency and John C. Calhoun for the Vice Presidency by such a convention at Harrisburg, Pennsylvania, in 1828.¹⁸ This has survived in a measure to the present day when state conventions endorse someone for the Presidency, subject, of course, to the action of the national convention of the party.

The campaign of 1824 contained the novel practice of mass meetings, held throughout the country, which made nominations for the Presidency. These in reality were ratification meetings, approving someone already in the field.¹⁹

These methods could serve merely for temporary purposes. The national caucus had become unpopular and the state cau-

¹⁵ Ibid., pp. 31-32.

¹⁶ Ibid., pp. 29-31.

¹⁷ Ibid., pp. 32-33.

¹⁸ Ibid., pp. 33-34.

¹⁹ Ibid., pp. 34-35.

cus had nothing to commend itself to the voters. Then such state and local action lacked the impetus which could be given a candidacy by a resolution of a national body. It was obvious that a national method had to arise which would be representative of the wishes of all states and sections.

First national conventions.—The Federalists, who were rapidly declining in numbers, met in New York City in September, 1812, and endorsed for the Presidency DeWitt Clinton, the candidate of the peace Republicans. This action attracted little attention because of the weakened condition of the party and had no influence on the evolution of the national nominating method.²⁰

In September, 1830, at a preliminary conference of the Anti-Masonic party, a call was issued for an assemblage of delegates at Baltimore on September 26, 1831. Thirteen states were represented by 112 delegates at this convention. The convention sat for three days and adopted a lengthy "Address to the People of the United States," forerunner to the modern party platform.²¹

In February, 1831, a caucus of the National Republican or Whig members of Congress issued a call for a national convention to meet at Baltimore in December of that year. Delegates equal to the number of Presidential electors were apportioned among the states. The election of delegates by Congressional districts was recommended. By this time the convention system had been highly developed in many of the states and the procedure was much the same as in the national conventions of the present day. The convention provided that corresponding committees be appointed in states not having them. Local committees also were recommended.²² A National Republican convention of young men which met in Washington on May 7, 1832, endorsed the work of the Baltimore gathering, including its nominees, Clay and Sargeant.²³

The first Democratic National Convention met at Baltimore, May 31, 1832. While there was some opposition to such a convention in 1836 because of Jackson's insistence that

²⁰ John S. Murdock, "The First National Nominating Convention," in *American Historical Review* (1896), vol. i, p. 680.

²¹ "Niles's Register," vol. xli, pp. 83-85, 166-174.

²² *Ibid.*, vol. xl, pp. 28-29; vol. xli, pp. 301-302.

²³ *Ibid.*, vol. xlii, pp. 236-238.

Van Buren should be his successor, it has been a well-recognized institution in American political life to the present time.

Early conventions.—The Jeffersonian Republicans introduced the state convention into American politics. New Jersey and Delaware never had the legislative caucus and so the party in those states found the convention desirable as early as 1804. The Federalists in Delaware found it necessary to form an organization similar to the Republican, but in New Jersey the party never had one, that in 1814 being called as a protest against the war then existing between England and the Colonies.²⁴

With the extension of the suffrage in New York, Martin Van Buren and the Regency took up the cause of the convention in New York, where it was established permanently in 1824. Pennsylvania had experimented with the mixed caucus for some time before the state convention became definitely established in 1824. In 1817, members of the legislature could sit in the Pennsylvania gathering if the regularly elected delegates from the state were absent. Rhode Island accepted the caucus in 1824, Vermont in 1829, and Massachusetts and New Hampshire in 1832.

The Jacksonian Democracy took up the cause of the convention in the West. Ohio accepted it first.²⁵ Illinois experimented with it in 1832 and later adopted it, and finally the Whigs, who had opposed it, were forced to fall in line.²⁶ The convention afforded an opportunity for a party to form an organization of workers and get them together. As county officers were elected in the West, the Democratic candidates were given the appearance of having been selected by party action with strong support to help them through the campaign. Self-announcement by Whigs was too informal and unrepresentative to appeal to the masses. They were forced to fall into line. Before the introduction of the direct primary, the convention was the mode of nominating party candidates for offices in all of the states and territories.

Convention system organization.—The original unit in the convention system was the town or precinct. Here the voters

²⁴ Luetscher, pp 144 et seq.

²⁵ "Niles's Register," vol. xxiv, p. 242.

²⁶ "A History of Illinois," pp. 203-204; M. Ostrogorski, "Democracy and the Organization of Political Parties," (1902), vol. ii, p. 54.

met upon call of the party committeemen in a primary or caucus, as it was called in New England and the East, or convention as generally known elsewhere. Any qualified voter of the party was permitted to attend. Perhaps, by party rules, he had to be enrolled in some club of the party, but more often he indicated his politics by his appearance. The gathering would have the right to exclude anyone who attended as not being in good party standing. The party committeeman called the meeting to order and nominations were made for chairman and secretary. Often this precipitated a fight for control. Sometimes a defeated faction would secede and hold a "rump" convention and later contest the regularity of the other proceeding before the courts, or a higher party gathering. Nominations then were made for offices to be elected by the people and delegates were also chosen to the city or county convention of the party. They also elected the local committeemen. These delegates were of a number, specified by a higher committee, to which the precinct was entitled because of the extent of its party vote at the last general election. The delegates to the city or county convention were sent, instructed or uninstructed, for candidates for city or county offices. It was not the custom for the city convention to elect delegates to any other convention. They simply would nominate candidates for city offices and occasionally adopt a platform or a set of resolutions. They had committees on credentials, temporary and permanent organization, rules and resolutions, and notification candidates, with somewhat the same procedure as now in vogue in the national conventions. The county conventions largely duplicated the city conventions in procedure and also elected delegates to the Congressional and other district conventions and to the state conventions. The district conventions nominated the district candidates and in the Republican Congressional conventions in Presidential years chose the district delegates to the national conventions. The state conventions nominated the state ticket of the party, adopted a platform, and elected such national convention delegates as had not been chosen previously at the Congressional conventions.

Since the convention system arose as a result of party custom and rules rather than by statutory enactments, there were bitter fights for control, and much corruption and illegality. Often a majority in a convention, perhaps secured by dishon-

est means in making up the temporary roll of the body, unseated delegations who had the backing of the proper party action in their own communities. Delegations to national conventions often had their claims contested by those who questioned the validity of the state or district gatherings. In the precinct gatherings outsiders frequently were brought in to secure the election of a slate of delegates to the city or county convention, and the biased chairman would refuse to recognize anyone protesting the procedure, or would rule that such an individual was out of order and not entitled to the floor.

The convention, nevertheless, was a great institution in American politics and without it political parties never could have been developed to their eventual magnitude. The convention gave the parties organized support which self-announcement never could have created, and it developed many practical political minds.

With the introduction of the Australian ballot, legal sanction was given to the holding of conventions and also to the system of managing committees which necessarily arose from this convention system. Conventions held according to law and party rules were allowed to place their nominees on the ballot in the party column provided by law.

As is the case with national conventions, so with other conventions, alternates frequently are elected to vote in the absence of delegates. Proxies, which are recognized in most political committee meetings, usually are recognized at conventions. This enables the convention to organize with substantially the entire number of delegates as prescribed by law or party rules.

Caucus and convention advantages.—John C. Calhoun and many others who helped to destroy the Congressional and legislative nominating caucuses, substituting the convention, lived to regret their work. The caucus served a very essential need at the time it made the first nominations for national and state offices. While no one need have disputed Thomas Jefferson's right to be the candidate of his party for the Presidency in 1796 and in 1800, in but few elections, nationally or in the states, has the leadership been undisputed. It was logical for the men best informed on national and state issues to seek to make these nominations. They knew the men active in the national and state affairs and they knew the require-

ments for the positions, which the voters at home hardly could appreciate.

The convention system, when it became established from nation and state on down to town and precinct, was truly representative of the will of the party. Any voter who cared to exert himself and conform to the party rules could have a voice in the unit gathering. His vote there would be the same as his next door neighbor whom he might have sent to the legislature or Congress, although even in the local gathering the experienced politician probably carried more weight with the crowd. The convention enabled a system of committees to be formed to manage the affairs of the party, which had not been done under caucus nominations. The party went into the fight with more certainty of representing the principles which would interest the voters than when they held their caucuses without consulting those who they represented in the legislative halls. Unfortunately, except under the mixed caucus, the minority party of the district had no influence in the selection of the nominees. Again, a Congressional or legislative caucus was likely to nominate only candidates who had been active in public life at Washington. The governorship as a stepping stone to the Presidency might never have been an actuality had not the national convention come into existence. State experience counted for little in a national caucus, and locally for no more in a state nominating body.

Withdrawals.—Candidates have the right to withdraw in all states and have their names omitted from the ballot within a considerable time before the election. In the event of withdrawal or death of one duly nominated, the appropriate party committee has the right to make a nomination to fill the vacancy. There have been cases where a man died such a short time prior to the election that there was no opportunity to have his name taken from the ballot and in a few cases such a candidate has received the majority of the votes.

Designation.—Another method of nomination for office is by designation by a particular individual mentioned in the statute of the state. Hence, in Pennsylvania, the candidates for Presidential elector are nominated by the Presidential candidate of the party. At his request their names appear upon the ballot.

Independent nominations.—At no time during the development of the caucus and the convention were the people deprived of their right to self-announce themselves for office. This could be done at any time and to-day still is done in certain communities. Before the advent of the Australian ballot all that an independent candidate had to do was to get his name printed on a ballot for distribution to his supporters at the polls. Now, in states which have the Australian system, he must file a petition with the proper officials, containing the signatures of a specified number of voters which have qualified. In Virginia, a written notice of candidacy attested by two witnesses alone is required. In the other states, a minimum number of names or a minimum definite percentage of the voters in the area in which the candidate seeks election is necessary. In some states a person who already has voted in a party primary cannot sign a nominating petition.

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182 PARTY PRINCIPLES AND PRACTICAL POLITICS

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Questions

1. How were colonial nominations made in the South?
2. How were nominations made in New England and the middle colonies?
3. What was the system in vogue in New Jersey for a time?
4. What were the two distinctive Connecticut colonial plans?
5. What was the early caucus?
6. What other agencies made nominations during the Revolution?
7. What was the first national nominating agency?
8. Did this first national nominating agency ever wield much power?
9. Was it subject to attack?
10. How were governors and lieutenant-governors nominated originally?
11. What method supplanted the first agency for making state nominations?
12. What was the mixed legislative nominating caucus?
13. In what other ways were early Presidential nominations made?
14. When was the first national convention held and by what party?
15. When, where, and by what party was the first convention held that left a permanent influence on the method of nominating national conventions?
16. What party introduced the state convention into American politics?
17. What leader and political forces took up the cause of the convention in New York.
18. What political forces introduced the convention into the West?
19. Describe the convention hierarchy.
20. What is meant by a contesting delegate?
21. Did the convention system develop or retard party growth?
22. What are alternates?
23. What was the essential need of the caucus?

24. Why was the convention an improvement on the caucus?
25. May candidates once nominated withdraw?
26. What is meant by nomination by designation?
27. Were independent nominations possible under the caucus and convention systems?

CHAPTER XIV

THE DIRECT PRIMARY

Historical.—The direct primary, as a result of party rules, first made its appearance in Crawford County, Pennsylvania, in 1868, for the nomination of offices by the Republican party. It spread under local party auspices into other counties of that state, the West and Middle West.¹ The first direct primary optional act was for the benefit of Lancaster County, Pennsylvania, in 1871. Other optional laws were passed which controlled the primaries where held.² The Southern states took up the primary by party rule and soon in all states in which Democratic nomination generally was equivalent to election nominations were made this way. Legislative regulation began as early as 1888 in South Carolina and the other states followed suit.

The first state to have a mandatory primary law without the intervention of conventions was Wisconsin, which passed such an act in 1903 under the direction of Governor Robert M. La-Follette. Wisconsin experimented with much advance legislation during this period, as did Oregon under Governor George E. Chamberlain, where a similar law was passed the following year. Iowa, Missouri, Nebraska, North Dakota, South Dakota and Washington followed in 1907; Illinois, Kansas, Ohio, and Oklahoma in 1908; Arizona, California, Idaho, Michigan, New Hampshire, Nevada, and Tennessee in 1909; Maine, Massachusetts, New Jersey, and Wyoming in 1911; Kentucky, Louisiana, Minnesota, Mississippi, Montana, and Virginia in 1912; Florida, New York, and Pennsylvania in 1913; and Indiana, North Carolina, Vermont, and West Virginia in 1915. In many of these states the original law has been repealed and a new one enacted; in Illinois two were declared

¹C. E. Meyer, "Nominating Systems," (1902), pp. 146 et seq.

²Ibid., 121-130.

unconstitutional. Alabama, Arkansas, Georgia, South Carolina, and Texas have primaries by party rules regulated somewhat by statutes. The Utah law permits primaries if desired by the party. Connecticut, Delaware, New Mexico, and Rhode Island have no primary law, although the Democratic party holds primaries in several of the counties of New Mexico.

Eligibility for primaries.—The primary law is applicable to all parties in Kansas, Montana, and Oklahoma. In the other states convention or petition nominations are made unless the party polled a fixed minimum vote or percentage in the last election. In Texas the total vote required is 100,000, in New York, 12,000, and in North Carolina, 10,000. Kentucky requires 20 per cent of the state vote and Oregon the same percentage of the vote for Presidential electors. Indiana, Maryland, Michigan, Washington, and Wyoming require 10 per cent of the last state vote; Colorado, Maine, Ohio, Tennessee, and West Virginia, 10 per cent of the last vote for governor; Illinois, 10 per cent for the highest state officer; Nevada, 10 per cent for representative in Congress; and New Jersey, 10 per cent of the vote for the assembly. Arizona and Minnesota require 5 per cent of the last state vote for governor, and Florida, 5 per cent of the highest vote for state officer. Massachusetts and Missouri require 3 per cent of the state vote; New Hampshire, 3 per cent of the vote for governor; and California, 3 per cent of the highest vote for a state candidate. Iowa requires 2 per cent of the vote for governor, and Pennsylvania, 2 per cent for the highest state candidate. Maine requires 1 per cent of the vote for governor; Wisconsin, 1 per cent of the state vote and new parties may file if they polled one-sixth of the vote in any electoral unit. South Dakota permits a primary for any party which polled a vote in the last election or has a national organization.

Conduct of primaries.—In states where primary laws are mandatory, candidates have their names printed on the ballot by means of petitions. These petitions are addressed to the appropriate state or county official and indicate in the heading the name of the candidate and the office sought. An accompanying statement says that the signers are members of the party whose nomination is sought. Names are signed with addresses ordinarily on pages with places for twenty-five signa-

tures. At the bottom of the petition is an affidavit to be made by the person circulating it, stating that the signatures were made in the presence of the person so circulating and are known by such person to be genuine. This affidavit enables the state to prosecute anyone for perjury who fraudulently signs names to a petition, since it is not acceptable without the affidavit. Some states require a pledge to agree to vote for the person whose nomination is petitioned, but in others voters may sign as many petitions as are presented to them for the same office. Some voters feel it is a moral obligation to sign but one petition for each office and then to support that candidate in the primary.

The requirement of the number of petitioners varies in the different states. Sometimes a percentage of the qualified voters of the party is specified and in others a definite number. It is considered good politics by many candidates to secure as many signers as possible to the nomination petitions with the idea of securing support in the primary thereby. Then if the state has a maximum limit on the petitions to be filed, only such as are necessary for getting the names on the ballot are sent to the proper officer. A large number of signatures affords the candidate an excellent mailing list, which he may use to good advantage to secure support during the campaign.

In some states, such as Massachusetts, the names appear alphabetically on the ballot under the office sought. In Illinois, for state offices, the names rotate by Congressional districts, and for other offices appear in the order of filing. In New York, candidates draw lots for position. Often candidates arrange to have petition filers sit in relays in front of the appropriate office for days before time of filing in order to secure first place, which is considered the most advantageous on the ballot in the states where names appear on the ballot in the order filed. In such states, often the filing officials announce that the petitions received by mail will have position priority over those filed in person. In many instances envelopes of a certain size or color are supplied the candidates who are friendly to the filing official, and when he takes out the petitions from the mail he picks up those in the selected kind of envelope, stamps them ahead of the others, and then awards first place to his political associates.

Illinois adopted rotation for candidates for state offices be-

cause in the Republican primary of 1912 all persons whose names appeared first under each office were nominated.

Ballots are printed on official paper in the primaries just as in the elections. Parties, and in some cases individual candidates, are entitled to challengers at the polls in order to prevent people from voting who have not the qualifications as prescribed by law or party rules. Returns are made to the proper election officials in the same manner as at elections.

Regularity by defeated candidates.—In many cases a candidate defeated in a primary will seek election as an independent through the filing of a petition in the election. This happens more often under the primary than under the convention. At a convention resolutions often are passed with the idea of committing the candidates to support of the ticket nominated. In Wisconsin, in the Republican primary of 1920, a candidate of one faction won the nomination for United States senator and of the other faction for governor. Both defeated candidates ran as independents in the election. In 1926, Senator Robert N. Stanfield, of Oregon, was defeated for the Republican nomination to succeed himself and then ran for re-election as an independent. In order to prevent defeated candidates from bolting, Kentucky has provided that no candidate defeated in a primary may run for the same office that year. Maryland, Oregon, and California will not permit a defeated primary candidate to run in the election. Indiana makes it necessary for an independent candidate to file his petition thirty days before the primary.

Restricted nominations.—Primaries may be held to nominate candidates for all or for only certain offices. Under the New York law, as amended in 1921, a state convention is held for the nomination of state officials. Governor Smith has endeavored to have the old law re-enacted for the nomination of state officials by the primary, but he has been opposed by the Republican legislature. In New York the state committee of the party may determine if a convention shall be held for the nomination of judge of the court of appeals, when there is a term expiring on that bench, or shall make the nomination itself. Judges of the Supreme Court are nominated in the same manner. Other district and county candidates are nominated in the primary and the party officials are elected at the same time.

Illinois gives a state convention real work to do, besides adopting a platform and hearing addresses, by providing that the three trustees of the University of Illinois, elected biennially, shall be nominated by the convention. The nomination of judges of the circuit, superior, and supreme courts in Illinois also is excluded from the operations of the primary law. Minor state officials are nominated by convention in Michigan. Platforms always are adopted by state conventions.

Presidential electors are nominated by conventions in all states but Arizona, Iowa, Kansas, Montana, New Hampshire, and Pennsylvania.

Pre-primary conventions.—Colorado provides for the holding of conventions before the primary. At these conventions candidates are placed in nomination and all receiving at least 10 per cent of the vote of the convention have their names certified for printing on the primary ballots. A similar arrangement is in vogue in South Dakota, where majority and minority slates are presented, but others may have their names printed on the ballot through petition. Minnesota repealed such a law in 1923.

In Maine, Nevada, South Carolina, and Wyoming the state convention meets by law before the primary and may have considerable influence in the personnel of the ticket that will be nominated. The state committees fix the dates of the conventions in Mississippi and Washington. In all other states the convention follows the primary, but in Pennsylvania none is held.

Open and closed primaries.—Primaries may be either open or closed. If open, the voter has the choice of the ballot of any party, regardless of his past or intended future voting. Under the closed ballot the voter must meet some test of party affiliation. The only states now having the open primary are Colorado, Montana, and Wisconsin, where the voter is given the ballots of all parties and makes a selection of the one he desires. He deposits the ballot he has marked in one box and the remaining ones in another.

The advantage of the open primary is that it enables the voter to preserve his party affiliation in secrecy, which may be desirable for business or social reasons. The open primary is disadvantageous, for it enables a person to vote in the primary of any party even where he has no intention of support-

ing its nominees in the elections. In Wisconsin, Democrats vote so often in the Republican primary that frequently the party is unable to poll a sufficient vote therein to get its candidates on the ballot for the general election except by petition, when they must run as independents.

Under the closed primary different tests are imposed to determine the voter's party affiliation. The most common method is that of enrollment, although this does not deter a person from voting in one primary and supporting the nomi-

FOLD ONCE ONLY ON LINE OF HAND  WITH PRINTED SIDE IN

PRIMARY ENROLLMENT FOR THE YEAR 1925, THE CITY OF NEW YORK

COUNTY OF QUEENS Election District Assembly District Enrollment N^o 430

NAME OF VOTER.....

I, do solemnly declare that I am a qualified voter of the election district in which I have been registered, and that my residence address is that I am in general sympathy with the principles of the party which I have designated by my mark hereunder; that it is my intention to support generally at the next general Election, State or National, the nominees of such party for State or National offices.

DEMOCRATIC PARTY	REPUBLICAN PARTY	SOCIALIST PARTY
 	 	 

Make a cross (X) mark, with a pencil having black lead, in the circle under the emblem of the party with which you wish to enroll, for the purpose of participating in its primary elections during the next year. Fold in the place indicated above and deposit in the enrollment box. Line 104-105 27-B

Form of Primary Enrollment Used in New York.

nees of another party in the election. By enrollment the person states his political affiliations at the time of registration. This is done in Arizona, California, Florida, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Oregon, Pennsylvania, and Wyoming. In Missouri, Nebraska, Oklahoma, and Washington the voter declares his intention of supporting the candidates of the party in the election. The voter states his present affiliation in Kansas, South Dakota, Tennessee, and West Virginia when he asks for the primary ballot. This does not require a statement of past or future support. In Illinois, Indiana, Kansas, Michigan, Minnesota, Mississippi, Missouri, Ohio, Oklahoma, South Dakota, Tennessee, Vermont, Virginia, Washington, and West Virginia he is entitled to a primary ballot only when, if his vote is challenged, he swears that he has voted for the party ticket for a prescribed length of time or has not

voted for another party for a certain period. In Indiana, Minnesota, and Mississippi he must promise future support. Under this system a voter generally has to wait a prescribed time before he can change to another primary, such as in Illinois, where it is two years. Kentucky, Nebraska, and Oklahoma also require an oath of past party loyalty when the voter is challenged. In a few of this group of states the party organization is allowed to prescribe its own rules to indicate sufficient party regularity to vote in the primary.

Preferential ballots.—Alabama and Florida use a preferential ballot for the Democratic primaries. A majority of the first choice ballots decides, but in case there is no majority all but the two highest candidates are dropped. In Alabama all of the second choices then are added and in Florida those on the excluded ballots. Preferential primary voting has been tried and abandoned in Indiana, Louisiana, and Minnesota. In Oklahoma it was declared unconstitutional because of a provision making it mandatory for a voter to indicate additional preferences on pain of having his ballot voided.³

Run-off primary.—Six of the Southern states, Georgia, Louisiana, Mississippi, North Carolina, South Carolina and Texas, where ordinarily the Democratic nomination is equivalent to election, have provided for a second or "run-off" primary from three to five weeks later. The second primary is held where no candidate receives an actual majority in the first. It is well suited for Southern political conditions, for otherwise a plurality candidate who would have been defeated by any one of several if he had had a single opponent often would be elected. The second primary is not held in Louisiana if the second highest person entitled to be a candidate declines to enter and if all of the defeated ones decline in the other states. The nomination then goes to the one receiving the highest vote. In Mississippi the candidates may agree to abide by the result of the first primary and then no second one is held. Often they refuse to do this, as in the senatorial race in that state in 1922. Georgia has no second primary for the office of governor or United States senator when one candidate has a majority of the county unit votes. This means he must have carried counties with a majority of the members of the state house of

³ P. Orman Ray, in *American Political Science Review* (1926) vol. xx, pp. 351-352.

representatives. Each county has twice as many unit votes as it has representatives in the legislature.

Iowa plan.—Under the Iowa law, a candidate must poll 35 per cent of the primary vote to receive a nomination for a state office. The person with the plurality was nominated in all but three cases up to 1926. In 1922, Smith W. Brookhart was a candidate for United States senator in the Republican primary. Several men announced against him and his supporters charged that the plan was to take as many votes as possible from Brookhart and thus throw the contest into the state convention. It was the plan to name a conservative, had the nomination been decided by the convention. The convention need not have confined itself to those who were candidates before the primary. Such a convention held in Iowa probably would have been dominated by organization Republicans, who would have given the nomination to another man.

Indiana has a similar plan for the nominations of United States senator and governor. If a candidate does not receive a majority in the primary, the nominee is chosen by the state convention. In 1926, William A. Cullop received a plurality in the Democratic primary for senator. When the convention met it gave the nomination to Albert Stump, who had received a somewhat smaller primary vote than Cullop. The action of the convention was accepted without criticism by the party workers in the state. Michigan and South Dakota have repealed similar laws.

Primary dates.—While the Constitutional provision for the election of Presidential electors has been responsible for members of Congress being chosen on the first Tuesday after the first Monday in all states but Maine, and state officers on the same date in all but Maine and Arkansas, primary dates vary throughout the country and often are changed by the legislatures. A Presidential primary law, if one were enacted in accordance with suggestions, might influence the states to adopt a somewhat uniform date. The dates now in effect follow in the usual order in which they are held:

South Dakota, fourth Tuesday in March.

Illinois, second Tuesday in April.

Indiana, first Tuesday after first Monday in May.

Pennsylvania, third Tuesday in May.

Oregon, third Friday in May.

North Carolina, first Saturday in June.

Iowa, first Monday in June.

Florida, first Tuesday after the first Monday in June.

Maine and Minnesota, third Monday in June.

New Jersey, third Tuesday in June.

North Dakota, last Wednesday in June.

Texas, fourth Saturday in June.

Kansas, Missouri, Oklahoma, Virginia and West Virginia,
first Tuesday in August.

Montana, ninety-first day preceding the election.

Tennessee, first Thursday in August.

Kentucky, first Saturday in August.

Alabama, Arkansas, Nebraska and Ohio, second Tuesday
in August.

Mississippi, third Tuesday in August.

Wyoming, first Tuesday after the third Monday in August.

California and South Carolina, last Tuesday in August.

Nevada, New Hampshire and Wisconsin, first Tuesday in
September.

Arizona and Massachusetts, eighth Tuesday prior to
election.

Maryland, not earlier than the eighth and not later than
the fifteenth of September.

Colorado, Louisiana, Michigan, Vermont and Washington,
second Tuesday in September.

New York, seventh Tuesday before election.

Georgia, date not fixed by law.

In some states, in Presidential years, the state primary falls
at the same time as the Presidential primary, as follows:

Nebraska, second Tuesday in April.

Pennsylvania, fourth Tuesday in April.

West Virginia, first Tuesday in May.

Alabama, second Tuesday in May.

In municipalities observing party lines for the election, the
primary generally is held about a month before the election.

Advantages and disadvantages.—To any believer in true
Democratic theories, the primary is a delegation of authority
to the people over governmental control which properly is
theirs. It gives to the voters the same right over the nomina-
tion of their candidates as the initiative and referendum do to
their laws. It has, too, certain advantages over the older form
of nominations by conventions.

The possibilities of a nomination against the opposition of
the machine are much greater in a primary. Under the con-
vention system, unless a candidate has the support of the or-
ganization of the party in at least a portion of the state, it is
almost impossible for him to secure a nomination for a state

office. At times a local nomination is made in opposition to the machine in a convention, but then usually only through the support of part of the organization. In a state convention a candidate of independent thought and ways, the type not encouraged to seek office by the professional politician, never has a chance. In a primary he can win occasionally despite the opposition of the organization. It takes a great deal of publicity and usually fairly strong financial support, but it can be done. Gifford Pinchot was nominated for governor of Pennsylvania upon his record as an independent in the Republican primaries in 1922. He had the support of many of the larger newspapers and, being a wealthy man, his campaign did not suffer from lack of financial support. Such victories against the organization are not likely to be permanent, but if the public sentiment is aroused sufficiently and an able candidate arises to present the issues, the machine may lose in a primary where it would win almost certainly in a convention, and the victory may be repeated.

A party boss may be influenced by the primary to the extent that he will not take part in the contest. He may feel that he has nothing to gain by presenting a slate for the nominations, but is willing to let the voters make their own choices. However, this is the exception rather than the rule. The boss may refuse to intervene for some candidate upon the grounds that he has no authority. It is safe to assume that if a candidate is objectionable to him, his influence will be felt at the polls, even if he does not take an open stand.

The convention system is largely the creature of party rules. The primary, outside of the South, is created by statute. Election officials of both major parties, under oath for the proper discharge of their duties, count the ballots. If a candidate receives an improper count, it is easier to have justice done through resort to the courts. The laws governing the primaries are made ordinarily without any regard to the advantages which may accrue to a particular faction. This often is not true of convention procedure.

With the primary has come the election of party officials. The precinct, district, and state committeemen are elected at the same time that candidates for office are chosen in most states. This system gives the voters of the party the actual authority over the selection of their party managers. Under

the convention system the average voter had only a vague knowledge of the existence of the committees. If he is interested now he may help to choose them and put the management of his party under the direction of high-grade men and women.

Not the least advantage is the much greater response of the citizen to the primary than to the convention. Only citizens of political experience are inclined to attend party caucuses and conventions. The proceedings are long and the average voter cannot spare the time. It is not so with the primary. It does not take the voter any longer to cast his ballot at the primary than at the general election. He does not have to hear nominating speeches. While the primary vote does not exceed the general election vote in any of the states except in the lower South, where the Democratic nomination is equivalent to the election, yet it attracts the active participation of many more people than would attend the local or other caucuses or conventions.

The primary is responsible for more candidates offering themselves for nominations. In some states as many as twenty candidates have contested for a state office in a primary. Such a number would be altogether improbable in a convention. Undoubtedly, with more candidates offering themselves, the more discriminating the nominators may be, if they take the time to investigate the qualifications of those seeking offices.

One of the greatest disadvantages of the primary is the expense to the public and to the candidates. In states which have adopted the primary, the number of elections held as a result has been almost doubled. The same number of election judges, clerks, and inspectors must serve in the primary as in the election. The cost of printing ballots for the primary probably is greater than for the election. Other primary supplies are as expensive as those used in the election. Therefore, taxation is increased, since the convention is conducted by party rather than by public officials, and under private rather than state or municipal supervision.

In the states of the South, which have primaries conducted by the party rather than by public supervision, the major cost must be borne by the candidates and the party organization. A candidate for an office is assessed a certain amount in order to have his name appear on the ballot. While in these states

taxation is not increased, the greater cost to the candidates who have to pay for the primary causes many competent persons to refrain from seeking public office. Then the actual campaign costs to candidates are great. In many cases they are much higher than the party costs in the election campaign which follows. Many believe that the primary is a rich man's game. In the 1926 Republican primaries in Illinois, two millionaires sought the senatorial nomination. In Pennsylvania three millionaires were in the race. In 1916 three multi-millionaires sought the Republican nomination for governor in Illinois. The candidates made extravagant expenditures, although no figures are available, and the wealthiest of the three, who probably spent the most money, received the nomination. Many poor men do not have the financial backing sufficient to give a state-wide reputation and furnish such an organization as would be necessary to secure the nomination. Campaigns for nominations in smaller units are not so expensive, but cost more than one before a convention. The necessary legitimate convention campaign expenditures can always be lower than legitimate expenditures before a primary.

The convention undoubtedly has served a useful purpose in the presentation of a platform which usually is meant to bind all of the candidates of the party. This feature finds no substitute in the primary. Often there is no state convention of any kind following the nominations. The people then are without definite general pledges of public policy from the candidates. It is true that in many cases candidates have made announcements of personal platforms or pledges which cover their aims in general. These pledges, however, do not bind the party. They offer only personal and not party responsibility in a system of party government. In those states having conventions for the purpose of adopting a platform following the primary, an opposing faction from the one that secured the nomination may control and dictate a platform which some of the candidates could not consistently accept. This is quite likely to happen in cases where a candidate has defeated the machine in the primary. The machine likely will be in control when the convention meets and prevent unfavorable platform utterances.

The primary does not afford the opportunity for making balanced tickets which are the product of the convention.

Often there will be two or more well-balanced slates in a primary, but candidates on all slates may be nominated and without any symmetry to the ticket. In the Northern states, where large immigrant elements play an important part in the Democratic party, it is well to have several nationalities represented on the ticket. Perhaps one element to be represented is Irish, another Jewish, and another Polish. A primary may give no such distribution. It is often desirable to nominate candidates from different religious groups. This effort may be defeated in the primary. Again, the labor element may wish representation. It could more likely get it in a convention. An important section of the state may get no representation. In the Illinois Democratic primary of 1912 candidates for six state offices were nominated, to be voted upon at the following election. Four were Irish Catholics and four were from Chicago. Such a ticket never would have been selected in a convention. Again, a convention may find it advantageous to arrange for the nomination of a woman or soldier candidate.

The convention presents an opportunity for compromise which is not offered by the primary. A state ticket composed exclusively of candidates from one faction of the party often invites disaster in the election. Moderate delegates to a convention, with an eye to party victory, often force the selection of a ticket which will command the support of all of the active elements in the party by the distribution of their votes among candidates of different factions. Often candidates may enter a deadlock in a convention or wage such an abusive campaign against one another that it is advisable not to jeopardize the chances of party victory by nominating either. A new candidate then may be selected who will have the enthusiastic backing of all.

The convention affords social features which are of great benefit to the party. The principal workers in the party attend the city and county conventions. Those who attend the district and state conventions are those who do the most for the party. The mutual exchange of ideas and the extension of acquaintances is beneficial both to the parties and politicians.

With the exception of the Southern states having the double primary system, minority nominations often are made. While it is true that many more candidates are elected by

pluralities than by majorities, yet a minority nomination may be such a bad thing for the party as to make defeat certain. Jack Walton, who had been impeached as governor and removed from office, sought the 1924 Democratic senatorial nomination in Oklahoma. He had been discredited with most of the people of the state but had a small following remaining. Several candidates sought the senatorial nomination against him and so divided the opposition that he was nominated. In the election he was defeated by a decisive majority by the Republican candidate, despite the fact that the Democratic Presidential electors carried the state. His was a minority nomination that never could have been made in a convention. A convention would have selected someone who could have polled the full party vote and saved the Senate seat.

In some states, as has been indicated, it is particularly easy for a member of one party to vote in the primary of another. To those who doubt the advantage of party government this is encouraging. To others it is a defect in the primary. In Wisconsin, as mentioned heretofore, the Democratic party which elected a United States senator as recently as 1914 has been reduced to almost nothing by virtue of the fact that nearly all of the voters participate in the Republican primary. The motives of the voters in doing so may be to select high-grade men or to provide easy candidates for their own party to defeat. Senator James A. Reed was renominated in Missouri in 1922 against the opposition of the large majority of the Wilson Democrats of the state. Undoubtedly thousands of Republicans voted in the Democratic primary that year and brought about his nomination. He won the Democratic nomination through the aid of Republicans who supported him because he had differed from his own party. His nomination in a convention at the time would have been impossible, since his conduct in the Senate did not reflect the opinion of his party in his state. Two years before a state convention had refused to send him as a delegate to the national convention. Often believers in the minority party know that their party has little chance in the election or that its candidates are unopposed in the primary, so they enroll as members of the majority party in order to have as much influence at the polls as possible. Then in the election they vote against the candidates whom they helped to nominate. In a local caucus or conven-

tion it would be uncommon for a member of another party to be present and participating in the voting.

Advocates of the primary have stated that party organizations are too influential under the convention. At times they retain just as much influence under the primary and make it a sham. In 1924 the Democrats of Illinois held an informal state convention attended by delegates from all of the counties of the state. They decided upon a slate of candidates for state offices who were entered in the primary. Opposing candidates entered the race, but those with the backing of the convention and the state organization were successful.

A frequent but probably untrue criticism of the primary is that men of greater caliber are placed in office under the convention. A similar charge has been made that, since the adoption of the Seventeenth Amendment, members of the United States Senate are smaller mentally than they were when its members were chosen by the state legislatures. Undoubtedly, some able men, who could not succeed in a primary, attained position in public life via the convention route. Similarly, capable men have to retire to private life rather than run the risk of defeat in a primary when they probably could carry a convention. A recent instance of this situation is the case of Oscar W. Underwood of Alabama. Senator Underwood was recognized as one of the ablest men in the Senate and by some, even on the Republican side of the aisle, as "the ideal senator." Yet he had pursued such a course of independent action that had he submitted his candidacy to the 1926 Democratic primary of his state he doubtless would have been defeated. Probably there has been no great change in the personnel of the Senate because of the popular election of senators. Likewise, the character of men in office by virtue of the primary is not greatly different from their predecessors who received their nominations from conventions.

Another criticism of the primary, that the voters are not as well qualified to select nominees for office as are the convention delegates, infers the inability of the people to be their own governors. These critics maintain that the members of conventions are persons with political experience. They have had more opportunity to meet and judge the qualifications of the candidates because of the time they have devoted to political activities. They believe that in order for the average per-

son to qualify himself to select candidates he must devote some time to practical politics. This the convention delegate has done.

Non-partisan primary.—The non-partisan primary is a direct primary where candidates for office are nominated without any regard to party lines. Twice the number are nominated as there are offices to be filled at the election. Often, in practice, the candidate has no opposition and hence only one is named. In California, and for the Chicago aldermanic board, a candidate receiving a majority vote in the primary receives the certificate of election.

The non-partisan primary was originated for the nomination of municipal officers. North Dakota and Wisconsin have it for all cities, Minnesota and Utah for cities of the first and second classes, and certain California cities, through the provisions of home rule charters. It is a common feature of cities under the commission and city manager forms of government.

In twelve states, Arizona, California, Idaho, Minnesota, Nebraska, Nevada, North Dakota, Ohio, South Dakota, Washington, Wisconsin, and Wyoming, court judges are elected as a result of the non-partisan primary. Kansas, Iowa, and Pennsylvania tried and later rejected the practice. This is in line with the movement gaining force in most states to take the judiciary out of politics. It is not an easy matter, since most lawyers are politicians, having found that their professional practice is aided by political careers. Many positions require or find desirable legal knowledge.

County officers in California, Minnesota, and North Dakota are elected by this method. Minnesota has chosen its members of the legislature since 1913 in this manner. California, in 1915, and North Dakota and Nebraska, in 1924, rejected state non-partisan primaries. Minnesota is the only state where the legislative body is not organized along the lines of party divisions.

The non-partisan primary has not eliminated partisanship in the elections in many places where it has been tried. In Chicago, members of the board of aldermen are elected because they have the support of party organization in their wards. The mayor there is a partisan, and generally the aldermen support or oppose his measures as they meet with

the approval of their party or faction. In Milwaukee it is customary for the Socialists to nominate a set of candidates they have endorsed and usually the Republicans and Democrats unite in support of a list in opposition to them. In Milwaukee the non-partisan primary has served to eliminate the Democratic slate, whereupon that party supports the Republican group which survived the primary. The result in St. Paul, where there is a strong Socialist party, has been somewhat the same.

In some states the non-partisan primary has deprived the parties of a large part of their active organization. Candidates for local offices are generally the most active of all of the politicians in getting out the party vote, since it is greatly to their advantage to have it polled. Deprived of this support, candidates for Congress and state offices have difficulty in maintaining a sufficient organization in conjunction with the state committees. Membership on the county committees is not considered so important. As a result it was easy for the newly formed Farmer-Labor party to elect two United States Senators in Minnesota and send three Representatives to Congress; consequently the Non-Partisan League finds it not particularly difficult to maintain control of the Republican organization in North Dakota. In California the non-partisan primary has resulted in little rivalry between the parties for anything but state offices. Substantially all of the members of Congress from the state are elected regularly with the endorsement of both major parties. One aligns himself with the Democratic party in the House and the others with the Republican.

Many believe that local offices should be elected in this manner, since there is no relation to the parties which divide on national and state issues. By providing a primary protection is afforded against a candidate being elected to whom the majority in the community is opposed. This often happens where local officials are elected as independents without a primary. The primary means an additional expense to the tax payer and the candidate where it supersedes ordinary non-partisan elections.

Increased use of primary.—The sharp increase in the number of votes cast in state-wide primaries since 1920 proves the increasing interest which the voters are taking in this means

of making nominations. In many states this increase is the result of a realization that the contests are really decided in the primaries rather than in the elections which follow.

The table appearing below, prepared by Simon Michelet, political statistician, gives the total primary vote in the biennial nomination contests in forty states, beginning with 1920, before the Nineteenth Amendment to the Constitution granting woman suffrage became effective.

Comparing the two Presidential years of 1920 and 1924, the primary total gained 50 per cent, due in part to woman's suffrage; while the general election gain was but 10 per cent. The Nineteenth Amendment was effective in time for the Presidential election. The net increase in the total primary vote in the two off years of 1922 and 1926 was 2,260,000, according to Mr. Michelet's table, against a general election net gain of approximately 1,500,000 in the same years. The primary vote in these states, in 1926, was 80 per cent of the general election vote in the same year.

COMPARISON OF PRIMARY VOTE IN FOUR YEARS

State	1920	1922	1924	1926
Alabama	‡	***207,368†	‡	***207,316†
Arizona	40,749†	31,247†	57,998†	57,670†
Arkansas	***153,337†	***187,478	***208,207†	***220,816†
California	*618,981§	813,166§	*742,827§	1,031,900§
Colorado	120,658†	119,420†	160,000†	169,275†
Florida	‡	***88,729**	***146,696†	***107,129†
Georgia	***229,237†	***213,003†	***220,453†	***190,090†
Illinois	972,682†	832,731	1,028,250†	1,443,163†
Indiana	317,334†	657,990†	690,841†	662,312†
Iowa	250,846†	323,654†	417,936†	479,820†
Kansas	192,881†	258,247†	301,265†	271,560†
Louisiana	***143,553†	‡	***189,859†	***164,603†
Maine	61,700§	83,817§	109,484§	82,270†
Maryland	‡	151,147†	‡	198,359†
Massachusetts	262,044†	449,654†	464,212†	320,919†
Michigan	387,543†	399,034†	821,099†	635,039†
Minnesota	348,270†	478,689†	443,204§	577,878§
Mississippi	***30,913	***182,204†	***254,141†*	‡
Missouri	370,266†	644,872†	655,564†	577,881†
Montana	110,262†	98,643†	107,981†	85,533**
Nebraska	192,329§	230,233§	217,671§	270,958§
New Hampshire ..	68,029†	44,600†	51,642†	65,661†
Nevada	15,000x	25,415	12,613	21,904†
New Jersey	273,736†	401,545†	545,767†	468,444**
North Carolina ..	131,405†	‡	***234,770†	***232,174†
North Dakota	119,814†	189,177†	161,591†	168,538†

202 PARTY PRINCIPLES AND PRACTICAL POLITICS

State	1920	1922	1924	1926
Ohio	449,449¶	602,358¶	785,900†	612,799¶
Oklahoma	255,788¶	357,347†	406,642¶	268,484¶
Oregon	135,894¶	139,959†	169,928¶	158,354¶
Pennsylvania	534,062¶	1,117,123¶	816,435¶	1,616,719¶
South Carolina ..	***119,616¶	***190,812†	***199,151¶	***160,262¶
South Dakota	82,064¶	101,758†	92,253¶	77,200¶
Tennessee	***113,962†	***163,061¶	***173,273†	***186,908†
Texas	***450,530†	***565,000	***765,057†	***836,523†
Vermont	63,898†	48,386†	43,528†	46,701¶
Virginia	‡	***139,916¶	‡	***114,539†
Washington	206,254¶	218,560¶	273,748†	229,263¶
West Virginia ...	194,052†	245,101¶	321,789¶	271,966**
Wisconsin	420,268†	528,717¶	466,023†	494,714¶
Wyoming	19,053**	37,837¶	37,507¶	43,571†
Totals	8,456,459	11,567,998	12,795,305	13,829,215

Note—† Vote for Governor. ‡ No Statewide primary or returns not available. ¶ Vote for United States Senator. § Total vote cast. * Presidential primary. ** Summary of votes for Congressmen. *** Democratic. x Estimated.

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Questions

1. Where did the direct primary as the result of party rules first appear and when?
2. Where and when was the first state mandatory primary law adopted?
3. What is the usual requirement for parties to be eligible to primaries by statute?
4. Where primary laws are mandatory how do candidates have their names printed on the ballots?
5. How many signatures are necessary to petitions?
6. How is order of the names on the ballots determined?
7. Are primary ballots in the mandatory states similar to the ballots used in elections?
8. What steps have been taken to bar candidates defeated in primaries from running as independents?
9. What is meant by restricted primaries?
10. What are pre-primary conventions?
11. What is meant by open and closed primaries?
12. What are the advantages and disadvantages of the open primary?
13. What is the preferential primary ballot?
14. What is the run-off primary?

204 PARTY PRINCIPLES AND PRACTICAL POLITICS

15. How are nominations thrown into conventions in Iowa and Indiana?
16. How are primary dates determined?
17. What are the advantages of the primary over the convention?
18. What are the advantages of the convention over the primary?
19. What is the non-partisan primary?
20. Has the non-partisan primary eliminated partisanship?
21. Has the primary increased in its use by the voters in recent years?

CHAPTER XV

THE NATIONAL CONVENTION

Issuance of call.—Sometime during the latter part of the year preceding the Presidential election, the chairman and secretary of the Democratic and Republican national committees issue calls for meetings of their committees for the December or January preceding the election, for the purpose of calling the national convention of their respective parties. These meetings are held in Washington, D. C., for the convenience of Federal office holders and members of Congress whom it is desirable to consult or who desire to attend. Through a practice which has been observed for many years, the party in power is permitted by its principal contending opponents first choice of the city and date of the convention. Therefore the party in control of the Presidency first calls its meeting.

At this meeting, the claims of several cities are presented as contenders for the place of holding the convention. In order to be selected as a site for a convention, a city must be able to present a guarantee of all of the funds necessary to cover the expenses of the convention, generally amounting to \$100,000 or more. The city must show that an auditorium is available for the holding of the convention and the seating of the delegates and alternates, representatives of the press, and several thousand spectators. The city must give evidence that hotel accommodations are available for all of the delegates and the general influx of party workers expected for the sessions of the convention. It is also desirable, but not essential, that pledges be obtained from hotel men that there will be no increases in rates during convention sessions. The action of St. Louis hotels in boosting the rates during the Democratic convention of 1916 has militated seriously against that city obtaining another national convention for several years. And perhaps of the greatest importance, there must be shown

the possible political advantages to accrue from holding the convention in the city aspiring for the honor. In appreciation of the California electoral vote of 1916, the Democrats met in San Francisco in 1920. With the exception of Baltimore, in the doubtful state of Maryland, which was the favorite convention city prior to the Civil War, neither party goes south of the Mason and Dixon line to hold its conventions. Since 1864, Chicago has been the banner convention city, thirty Republican and four Democratic assemblages having been held there. St. Louis has had one Republican and four Democratic conventions, Baltimore one Republican and two Democratic, Philadelphia two Republican, Cincinnati and New York one of each party, Kansas City, Denver, and San Francisco one Democratic each, and Minneapolis and Cleveland one Republican each.

The committee also determines the number of delegates which each state, territory, and other geographic division is entitled to send. Ever since 1852 the Democratic party has regularly sent twice the number of delegates as there are electoral votes from each state, with representation also allowed to the territories. Prior to 1872 each delegate had one-half vote each, but since that time a full vote. Some states, however, send twice as many delegates as they are entitled under the rule, each with half a vote, and in some cases delegates have been sent with one-fourth vote each. This assures a more general distribution of the honor of being a delegate and also more seats at the convention. A number of alternates equal to the number of delegates, and chosen in the same way, is provided also. These alternates are seated behind the delegates in the convention hall and vote only when the delegates they represent are absent. It is unnecessary to go back beyond 1912 to find that every state in the Union, with the exception of Pennsylvania and Vermont, has been carried by a Democratic candidate for President, United States Senator, or governor, and in those two states many local officials are Democrats. Such Democratic strength does not give rise to the same charges of inequitable representation as are made in Republican circles. Alaska, the Canal Zone, the District of Columbia, the Phillippine Islands, and Porto Rico each send six delegates to the Democratic convention, making a total of 1098 delegates with as many alternates.

Up to and including 1912, the Republicans maintained substantially the same representation in their national conventions as the Democrats, but the fight against the Southern practice of sending delegations equal in size to twice the number of representatives and senators in Congress had been growing steadily until 1912, when the Southern representation was responsible for the renomination of President Taft. The bolt by former President Roosevelt which followed and the disastrous results to the Republicans when Taft carried only Vermont and Utah, with a total of eight electoral votes, led the Republicans in 1913 to adopt the first measure of reform in representation. The national committee then reduced the representation from each Congressional district having a Republican vote of less than 7,500, from two to one delegate. Eleven Southern states lost seventy-nine delegates as a result of this change. In 1921, a further reduction of twenty-three Southern delegates was adopted but two years later, before this reduction had been applied to a convention, the national committee provided that each state should have four delegates-at-large, with two additional delegates-at-large for each representative in Congress elected from the state at large, two delegates-at-large each for Alaska, the District of Columbia, Hawaii, the Philippine Islands, and Porto Rico, and three additional delegates-at-large from each state casting its electoral vote or a majority thereof for the Republican Presidential nominee at the last election. The committee provided that each Congressional district should have one delegate with an additional one in each district casting 10,000 votes or more for any Republican elector in the last preceding Presidential election or for the Republican Congressional nominee at the last preceding Congressional election. As many alternates as there are delegates are allowed. Assuming this ratio will be continued, the representation in the Republican national convention of 1928 will be substantially as follows:

Alabama	15	Florida	10	Kentucky	29
Arizona	9	Georgia	16	Louisiana	12
Arkansas	11	Idaho	11	Maine	15
California	29	Illinois	61	Maryland	19
Colorado	15	Indiana	33	Massachusetts	39
Connecticut	17	Iowa	29	Michigan	33
Delaware	9	Kansas	23	Minnesota	27

208 PARTY PRINCIPLES AND PRACTICAL POLITICS

Mississippi	12	Oklahoma	20	West Virginia	19
Missouri	39	Oregon	13	Wisconsin	26
Montana	11	Pennsylvania	79	Wyoming	9
Nebraska	19	Rhode Island	13	Alaska	2
Nevada	9	South Carolina	11	Dist. of Columbia.	2
New Hampshire ..	11	South Dakota	13	Hawaii	2
New Jersey	31	Tennessee	29	Philippines	2
New Mexico	9	Texas	26	Porto Rico	2
New York	90	Utah	11		—
North Carolina ...	20	Vermont	11	Total	1089
North Dakota	13	Virginia	15		
Ohio	51	Washington	17		

Included in the delegations will be 150 delegates from Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia, states which the Republican party has not carried since Reconstruction days and which it can hardly hope to carry, unless under most unforeseen circumstances, for many years to come. These 150 delegates will have only one vote less in the convention than the delegates from New York and Illinois or those from Pennsylvania, Massachusetts, and Michigan, states upon which the Republicans must rely for victory. Criticism of these Southern delegations also is based upon the fact that they are made up during Republican times very largely of Federal office holders who will vote invariably with the administration in power. In defense of a larger Southern representation, members of the party from that section point out that they are attempting to build a party there that actually will compete with the Democrats and with such slights as reduced representation in national conventions, workers and voters will not be attracted to its ranks.

After this preliminary meeting is adjourned, the chairman and secretary issue a call for the convention to the proper state officers of the party, enumerating the number of delegates to be chosen, and in some instances the Republicans describe in detail the method of choice, naming the city in which the convention is to be held and the date set for the same.

Delegates chosen by conventions.—In all of the states where primaries have not been introduced for the choice of delegates and in those in which such primaries are confined to the election of district delegates, conventions are called by the state party committee chairmen for the election of dele-

gates to the national convention. Often these conventions are the same as those nominating candidates for state and district offices. The Democrats, under their theory of states' rights, generally have recognized the state as the proper political division in lieu of the Congressional district, which is a Federal basis. Thus the delegates chosen by the Democrats by this method are by state conventions; while the Republicans, recognizing the Federal unit, choose their district delegates by district conventions and the delegates-at-large by state conventions. It is true that at such Democratic conventions, the members of the convention from the Congressional districts are permitted to caucus by districts and choose their district delegates, subject always, however, to ratification by the state convention proper. Ordinarily the convention ratifies the choice of these district delegates suggested by the district caucuses, but a notable instance to the contrary in recent years was when the Kansas City delegates to the Missouri state convention of 1920 attempted to send Senator James A. Reed to the national convention, only to be overruled by the state convention itself, the national convention later sustaining the action of the state body. These delegates, and alternates chosen at the same time and in the same manner, are instructed in favor of a certain Presidential candidate, and sometimes Vice Presidential candidate, or are allowed to go to the convention uninstructed. Sometimes these Democratic conventions have instructed their delegates with such "iron bound" restrictions that they must vote for such candidates until the last ballot.

Presidential preferential primaries.—The introduction of the Presidential preferential primary in 1912 in certain states for the election of delegates to the Republican and Democratic national conventions has resulted in more than a majority of the delegates being chosen in this manner rather than by the convention mode, which still is in vogue in some of the states.¹ Oregon, in 1910, was the first state to adopt such a law. The plan was then endorsed by the National

¹ States which have had Presidential preferential primaries are: Oregon, 1910; California, Nebraska, New Jersey, North Dakota and Wisconsin, 1911; Illinois, Maryland, Massachusetts, Michigan, Montana, and South Dakota, 1912; Iowa (repealed 1917), Minnesota (repealed 1917), New Hampshire, New York, Ohio, and Pennsylvania, 1913; Indiana, North Carolina, Vermont (repealed 1921), and West Virginia, 1915. Alabama, Florida and Georgia have permissive laws.

Progressive Republican League in 1911 and by many individuals in all parties prior to the conventions of 1912.

The Presidential preferential primaries may operate in any one of four different ways. The first method is where the state holds a primary and instructs its delegates to vote in behalf of a certain candidate. Then delegates are elected by conventions who are supposed to abide by these instructions. Secondly, the Presidential candidates may not have their names appear upon the ballot except that the candidates for delegate may run as pledged to a certain one. The third way is where the Presidential candidate's name is on the ballot as well as the candidates for delegate who are pledged to him. The fourth method is where the delegates are elected on the same ballot as the one on which the Presidential candidate's name appears, but they are not designated as being pledged to anyone but are expected to support the choice of the state or district without regard to their personal convictions. Often, however, under the second and third plans, a person runs for delegate with "no preference" and this is presumed to relieve him of the obligation of supporting the Presidential candidate who carries his state or district. Then there are some states, such as New York, with a combination of two plans where the district delegates are elected by primaries but those at large are chosen by state conventions or by state committees when authorized by party rules.

In 1913, in a message to Congress, President Wilson advocated the passage of a national primary law, but he did not follow this recommendation and secure its enactment. Since the Presidential primaries states ordinarily elect their delegates to conventions at the same time they nominate their candidates for state and local offices, a national primary would encounter serious opposition in many states which have particular primary dates which would not be convenient elsewhere.

Ordinarily, candidates for delegate and President have their names placed on the ballots by petition. In some states the Presidential candidate is allowed to designate the candidates who will run pledged to vote in his favor without the necessity of having petitions filed. Generally, a Presidential candidate has the right to request that any one who has filed as a candidate for delegate pledged to him may not be al-

lowed to run in the primary. This is very desirable, for in 1912, a man pledged to Taft, but not on the regular Taft slate, was a candidate for delegate-at-large in Massachusetts and since the Taft voters were somewhat uninformed as to what candidates they should support, Roosevelt delegates were chosen, although the state showed a preferential majority for Taft.

A few states have included provisions for Vice Presidential preferential primaries at the same time as the Presidential, but generally this is not considered sound, for it is difficult for the delegates to vote intelligently on Vice Presidential candidates until after the Presidential nomination has been made.

Preliminary committee meeting.—At the convention city, a few days prior to the convening of that body, the national committee, having been chosen four years before, holds its last meeting. This meeting, as in the case of the Republican National Committee at Chicago, in 1912, may extend over several days. The principal purpose of the meeting is to make final arrangements for the convention. Reports of the committee on credentials of delegates chosen to the national convention, and the committee on temporary organization are taken up for action. The delegates who are seated on the temporary roll generally have the best chance of being on the permanent roll in the event their seats have been contested. At the Republican committee meeting at Chicago, in 1912, contesting Roosevelt delegations from several of the Southern states and elsewhere were filed against Taft delegations. The old national committee was controlled by Taft supporters and the committee decided very largely in favor of Taft contestees, which gave the Taft forces control of the convention when it met. If there are many candidates for the Presidential nomination, a temporary chairman is sought who will meet with the approval of all factions. Again, a man may be suggested whose views are in harmony with the views of those of a majority of the committee and in direct opposition to those of a minority on one or more vital questions. The selection of the temporary chairman is subject to the approval of the convention, as represented by the temporary roll of delegates approved by the committee. William Jennings Bryan thought it manifestly unfair that the committee chosen

for the campaign four years preceding should be allowed to perform these functions. He maintained that the new committee should be called into existence before the meeting of the convention and be authorized to prepare the temporary roll and suggest the temporary officers. His views never were adopted either by his own party or by the Republicans.

First work of convention.—The convention is called to order by the chairman of the expiring national committee, who announces prayer. If the convention lasts but three days, one session will have prayer by a Roman Catholic priest, another by a Protestant minister, and the third by a Jewish rabbi. If it lasts longer, several denominations may be represented. Usually a Roman Catholic prelate opens the first day's session of the Democratic convention and a Protestant clergyman the Republican. Then the chairman directs the secretary of the committee to read the call for the convention. After a brief introductory speech, the chairman announces the choice of the committee for the temporary officers, including the temporary chairmanship. Often this is a signal for one of the biggest fights of the convention to show what faction is in control. In 1896, the Democratic National Committee suggested Senator David B. Hill of New York, gold standard advocate, for the chairmanship, but the free silver forces, by a vote of 556 to 349, elected in his stead Senator John W. Daniel, of Virginia.² After that there was no question as to the control of the convention by the silver forces. In 1912, at the Republican national convention, the committee suggested Senator Elihu Root of New York for the temporary chairmanship. The Roosevelt and LaFollette forces supported in opposition to him, Governor Francis E. McGovern of Wisconsin, but Root won, 558 to 501, as did the Taft forces in all of the subsequent votes.³ In the same year, at the Democratic convention, William Jennings Bryan attempted to have himself substituted for former Judge Alton B. Parker of New York, the committee choice, but Parker won, 579 to 508.⁴ Bryan's issue of the temporary chairmanship was somewhat responsible for the nomination of Woodrow Wilson, who asked his delegates to support Bryan.

² Stanwood, *op. cit.*, vol. I, p. 542.

³ *Ibid.*, vol. ii, p. 242.

⁴ *Ibid.*, vol. ii, p. 256.

It is the duty and privilege of the temporary chairman to make the key note speech of the campaign. Often he prepares his speech after consultation with other leaders of the party and it represents an aggregation of ideas intended to catch votes. Then the convention elects the four principal committees, each delegation, ordinarily, being represented by one member on each. These committees are; rules and order of business, permanent organization, credentials, and platform and resolutions. The committees operate through subcommittees, whose work must be reported to the convention through the principal committee for approval or disapproval. The credential committee hears again the contests that were tentatively decided by the national committee when the temporary roll of the convention was prepared. It may seat the contestants, leave the contestees as the recognized delegates, or seat both contestants and contestees with half a vote each, just as the national committee is empowered to do. Often there is a fight on the floor of the convention over the report from the credentials committee, as was the case at the Republican convention at Chicago, in 1912, where the Taft forces had been victorious in getting their delegates seated in nearly all of the contests. The rules committee generally reports the same rules as were used at the preceding convention. The committee on permanent organization ordinarily suggests another delegate as permanent chairman and re-elects the other officers, but at the Republican convention of 1912 Senator Root continued in the chair in the permanent organization, the Taft leaders not thinking it wise to risk another candidate. The committee on platform and resolutions often does not report until after a nomination for the Presidency has been made, in order that the candidate may have the opportunity to suggest changes. The committee meetings are in both open and executive sessions. Opportunity is given to individuals and organizations to appear before them and present their claims for consideration.

Adoption of platform.—The adoption of the platform nearly always precipitates a fight on the floor of the convention. Often there are both majority and minority reports. Both sides are allowed equal time for debate and then the platform and suggested amendments are submitted to the convention for approval. In 1896, Senator Henry M. Teller of

Colorado, representing the silver Republicans, suggested a double standard amendment to the platform, and after it was rejected he and thirty-three other delegates left the convention.⁵ Often a party will be silent on a controversial issue and thus avoid a split. In 1920, the Republicans were silent on prohibition enforcement and, in 1924, on the Ku Klux Klan, both of which issues were allowed to reach the floor of the Democratic conventions with great injury to the party prospects. Again, a party will adopt a plank designed to please all elements on a matter that cannot be ignored. This was the case at the Republican national convention of 1920 where the League of Nations was designed to be the leading issue of the campaign. One Republican senator had voted for the covenant without the Lodge reservations, the majority had voted for it with the reservations, and a minority, the "irreconcilables," had refused to support it at all. Several who voted for reservations refused to support amendments. A "straddling" plank was then adopted designed to appease all. It said in part:

The unfortunate insistence of the President upon having his own way, without any change and without any regard to the opinions of a majority of the Senate, which shares with him in the treaty-making power, and the President's demand that the treaty should be ratified without any modification, created a situation in which senators were required to vote upon their consciences and their oaths according to their judgment against the Treaty as it was presented, or submit to the commands of a dictator in a matter where the authority and the responsibility under the Constitution were theirs, and not his.

The senators performed their duty faithfully. We approve their conduct and honor their courage and fidelity. And we pledge the coming Republican administration to such agreements with other nations of the world as shall meet the full duty of America to civilization and humanity, in accordance with American ideals, and without surrendering the right of the American people to exercise its judgment and its power in favor of justice and peace.

In 1920, Chairman Will H. Hays, of the Republican National Committee, appointed an advisory committee on the platform, which laid several suggestions before the resolutions committee at the convention. Often in practice, when the nomination of a particular candidate is a foregone conclusion,

⁵ Ibid., vol. i, pp. 537, 538.

the principal part if not all of the platform will be prepared long before the convention meets and thoroughly considered by the nominee-to-be before it is taken up by the convention committee.

Nomination of candidates.—The most important work of the convention is the nomination of Presidential and Vice Presidential candidates. The nomination for the Presidency is made first. The roll of the states is called alphabetically. If a delegation has no nomination to make, it may yield to a state which would be reached later in the alphabet. Nomination speeches are made by prominent supporters of the candidate. After the man has been placed in nomination, his supporters in the convention often stage a demonstration. If he has only small support, it will be confined to applause and a little cheering. If he has strong support in the convention, his supporters will begin a march around the hall, carrying the banners of the states which are likely to support him. Sometimes they will have musicians of their own to augment the convention band. Portraits of the candidate will be displayed. In the demonstration for Governor Smith, of New York, at the Democratic convention of 1924, which broke all time records and had not spent itself after two hours, sirens from fire trucks were imported to aid in the noise making. Sometimes one state will present two candidates. Seconding speeches generally are made during a second roll call, but in 1924 the Democrats made both nominating and seconding speeches on one roll. Sometimes the convention rules limit the number and length of the seconding speeches for each candidate. The nomination for the Vice Presidency is made under the same rules but in a much less spectacular and a more expeditious manner after the nomination for the Presidency. While no man ever refused the nomination of one of the major parties for the Presidency, Senator Silas Wright of New York refused the Democratic nomination for Vice President in 1844 because he had been a supporter of Martin Van Buren and felt that he could not conscientiously accept a place on the ticket and thus profit by the defeat of the man he had advocated for the Presidency.⁶ In 1924, the Republican convention nominated former Governor Frank O. Lowden of Illinois for

⁶ Ibid., vol. i, p. 214.

Vice President but he declined. Benjamin Fitzpatrick of Alabama declined the Vice Presidential nomination on the Douglas Democratic ticket in 1860. In 1812, John Langdon of New Hampshire, first president of the Senate, declined the Republican caucus nomination for Vice President because of age.

Often there will be a "stampede" to a certain candidate for the nomination and then most of the delegates attempt to get on the "band wagon." They will change their votes from the candidate for whom the chairman of the delegation announced the vote of the state, to the person to whom the convention is being stampeded, after the call of the roll but before the announcement of the result. Generally a nomination is made unanimous, but sometimes this is not done, particularly when there is likely to be a bolt after the nomination. A stampede often follows a "deadlock" where the delegates have been unable to agree after several ballots. Notable instances of recent deadlock were at the Republican convention of 1920 and the Democratic conventions that year and in 1924.

Two-thirds rule.—The first national convention of the Democratic party was held at Baltimore, in 1832. Contemporary authority, with the sole exception of Senator Thomas H. Benton of Missouri, is that Martin Van Buren was not the choice of the Democratic masses for the Vice Presidency to succeed John C. Calhoun. President Jackson, however, was determined that Van Buren should be his running mate then and his successor four years later and the "kitchen cabinet" set out to coral delegates. In order to meet the charge that Van Buren was not the general choice, and perhaps also inspired by the action of the first national political convention, that of the Anti-Masonic party held in 1831 which required a three-fourths' vote to nominate, it was determined that two-thirds rather than a majority should be required.⁷ On the second day of the convention the following resolution was adopted:⁸

Resolved, That each State be entitled, in the nomination to be made of a candidate for the Vice Presidency, to a number of votes equal to

⁷ Ibid., vol. i, p. 159.

⁸ Dallinger, *op. cit.*, p. 40.

the number to which they will be entitled in the electoral colleges, under the new apportionment, in voting for President and Vice President; and that two-thirds of the whole number of votes in the convention shall be necessary to constitute a choice.

Jackson's nomination by acclamation was a foregone conclusion; hence it was unnecessary to include the nomination for the Presidency in the resolution.

When the second Democratic convention met at Baltimore in 1835, Van Buren, according to Jackson's plan, was nominated for the Presidency. The two-thirds rule again was invoked, although at first defeated by the convention, which later reconsidered and reversed its action.⁹ In 1848, a determined effort was made to abolish the rule and establish majority vote nominations, Van Buren having failed to receive the necessary two-thirds four years earlier although he had a majority on the first ballot, but the change failed to carry by a vote of 175 to 78.¹⁰

It was the two-thirds rule that wrecked the Democratic party in 1860. When the convention met at Charleston there were 303 delegates present; 45 withdrew during the early part of the proceedings. Senator Stephen A. Douglas, of Illinois, received at one time 152½ votes, an actual majority of the entire possible vote of the convention, but he never could reach the necessary 202.¹¹ When finally he received the nomination at the adjourned Baltimore session, it was only by declaring him the nominee because he received two-thirds of the vote actually cast.¹²

The rule has been adopted at every succeeding Democratic national convention, with the opposition generally expressed before the convening of the convention. Speaker Champ Clark, in 1912, at Baltimore, was the only candidate since the Civil War to receive a majority and yet fail to secure the nomination on account of the rule. Strong influences are now under way to have it superseded by a rule for majority vote nominations at the 1928 convention. A majority vote was

⁹ *Ibid.*, p. 40; "Niles's Register," vol. xlviii, p. 228; Stanwood, *op. cit.*, vol. i, p. 182.

¹⁰ Stanwood, *op. cit.*, vol. i, p. 233.

¹¹ *Ibid.*, vol. i, pp. 284, 285.

¹² *Ibid.*, vol. i, p. 286.

always sufficient to nominate in the Whig and Republican conventions.¹³

Unit rule.—The meager records of the first Democratic convention of 1832 do not indicate if the unit rule was recognized there, but at the second convention, that of 1835, the right of state conventions to instruct their delegates to vote as a unit was approved by resolution.¹⁴ At this convention there were about 600 delegates of whom 188 were from Maryland and about 100 from Virginia. Each state could cast only the number of votes to which it was entitled in the electoral college, and it is possible that these delegations were bound by the unit rule in order to facilitate the voting.

In 1892, several members of the Pennsylvania delegation endeavored unsuccessfully to be relieved from voting under the unit rule to which their state convention had bound them.¹⁵ The first reversal of the rule came in 1912 when, for the benefit of anti-Harmon delegates from Ohio, it was provided that if the state law required delegates to be chosen by districts, a state convention could not bind them under the unit rule. The change was embodied in a resolution which passed, 562-1/2 to 492-1/3.¹⁶ Now such practice is recognized Democratic policy.

If the two-thirds rule is abrogated by the 1928 national convention, the unit rule also may be discontinued. In defense of the two rules, it may be said that if there were a unit rule without the two-thirds necessary for a nomination, a small minority of not much more than one-fourth of the members of the convention might, if their votes were properly distributed, control enough of the delegations to cast an actual majority of the votes and thus bring about a nomination. With two-thirds required for a nomination, it is unlikely that a nomination ever would be made in a Democratic convention which an actual majority of the convention did not approve.

The Whigs bound themselves by a unit rule somewhat different from that of the Democrats. The national convention of 1839 provided that in voting for candidates for the Presidency and Vice Presidency "the majority of the delegates

¹³ Dallinger, *op. cit.*, p. 41.

¹⁴ *Ibid.*, p. 41.

¹⁵ *Ibid.*, p. 42.

¹⁶ Stanwood, *op. cit.*, vol. ii, pp. 256-257.

from each state designate the person to whom the votes of that state shall be given."¹⁷

The Republican party never has recognized the unit rule. In 1876, the Pennsylvania state convention instructed under the unit rule, but asked to be released at the convention. The chair ruled in their favor and the convention sustained the chair, 395 to 353.¹⁸ No attempt was made in 1880 or at any subsequent convention to invoke such a rule.¹⁹

Types and availability of candidates.—Candidates may be classified into three types, those with general support, favorite sons, and dark horses. A candidate with general support is one who enters the convention with substantial support outside of his home state. A favorite son may be defined as one who is the recognized political hero of his party in his own state and has his delegation or a major portion of it instructed for him. A dark horse is one who is not actively in the race when the nominations are first made in the convention. Most of the candidates nominated by the major parties since their organization have been those with general support. James K. Polk, of Tennessee, who was made the Democratic nominee in 1844, was the first dark horse. The next dark horse was former Governor Horatio Seymour of New York who, somewhat over his protest, was nominated for the Presidency by the Democratic convention of 1868. General James A. Garfield was indeed a dark horse in 1880 when he received the Republican nomination following a protracted deadlock in the convention. He had been the recognized leader of the forces in the convention supporting Senator John Sherman, of his own state of Ohio, for the nomination. The case of William Jennings Bryan, of Nebraska, in the Democratic convention of 1896 is without a parallel. He headed a contesting slate of delegates and was seated when the silver forces asserted control. In defense of the silver plank in the platform he made his famous "crown of thorns and cross of gold" speech and his nomination, while expected by none before, became a

¹⁷ Dallinger, *op. cit.*, p. 141.

¹⁸ Stanwood, *op. cit.*, vol. i, p. 374; Becker, Carl, "The Unit Rule in National Nominating Conventions" in *American Historical Review* (1899-1900), vol. v, p. 81.

¹⁹ Stanwood, *op. cit.*, vol. i, p. 403; Becker, Carl, "The Unit Rule in National Nominating Conventions," in *American Historical Review*, (1899-1900), vol. v, p. 81.

foregone conclusion. Senator Warren G. Harding of Ohio, nominated by the Republicans in 1920, was a favorite son. He did not have the support of the entire delegation from his own state and had entered the Presidential primary of but one other state, Indiana, where he ran last in a field of four. As Lowden, Wood, and Johnson entered a hopeless deadlock, Harding's campaign manager, Harry M. Daugherty, brought about Harding's nomination for him. A favorite son enters the race with the hope of keeping his own state delegation and also inheriting the strength of one or more of the principal contenders. Others have their names presented by their state's delegation in order to have the satisfaction of knowing that they were candidates in a national convention for the Presidential nomination. Such votes often are termed "complimentary." In many cases during the balloting their leader will be traded off to one of the principal contenders for the promise of a Cabinet position or other patronage. Sometimes by clinging to a favorite son throughout the pre-convention and early balloting stages, a delegation loses patronage promises it otherwise might obtain.

It is not customary to nominate a man for President unless it is thought he can carry the electoral vote of his home state. Only one man since the Civil War has been elected President without the vote of his home state, and he was Woodrow Wilson who failed to carry New Jersey in 1916. Wilson in that year was the only President elected since 1876 who did not carry New York, with the largest electoral vote of any state in the Union. The Democratic Presidential candidates, Seymour in 1868, Greeley in 1872, Tilden in 1876, Cleveland in 1884, 1888, and 1892, Parker in 1904, and Davis in 1924, and the Republican Presidential candidates, Roosevelt in 1904, and Hughes in 1916, were from New York. When New York did not get first place, the Democrats gave the state the Vice Presidential nomination by selecting Franklin D. Roosevelt in 1920, and the Republicans likewise recognized the state by nominating Wheeler in 1876, Arthur in 1880, Morton in 1888, Reid in 1892, Theodore Roosevelt in 1900, and Sherman in 1908 and 1912. Not to be overlooked as a pivotal state with a large electoral vote, Ohio had the Republican Presidential nominees with Hayes in 1876, Garfield in 1880, McKinley in 1896 and 1900, and Harding in 1920; while the

1920 Democratic candidate, Cox, was from Ohio. The Democratic Vice Presidential candidates, Pendleton in 1864, and Thurman in 1888, were Ohioans. Indiana also is recognized as a pivotal state and somewhat of a "mother of Vice Presidents," having given the Democrats their Vice Presidential nominees in 1876 and 1884 with Hendricks, in 1880 with English, and in 1912 and 1916 with Marshall. Likewise, the Republicans have not neglected Indiana, the Presidential candidate, Harrison, having been from that state, in 1888 and 1892, and the Vice Presidential candidates, Colfax in 1868, and Fairbanks in 1904 and 1916.

New England, a stronghold of Republicanism, has not met with the proportionate amount of favor in the national conventions of that party to the number of electoral votes she has cast for its candidates. Hamlin was nominated for Vice President in 1860, Wilson for the same office in 1872, Blaine for President in 1888, and Coolidge for Vice President in 1920, and for President in 1924. The Democrats have not named a candidate from New England on the national ticket since the Civil War. The large area west of the Mississippi has not been considered as available for nominations by the Republicans, they never having had a candidate from that region except when Fremont of California was named for President in 1856. The Democrats went to Missouri in 1868 for Blair, and in 1872 for Brown, as Vice Presidential candidates, and to Nebraska in 1896, 1900, and 1908 for William Jennings Bryan for President, and in 1924 for Charles W. Bryan for Vice President. No successful candidate ever came from that region.

President Hayes was not renominated by his party, largely because of the feeling aroused over the contest he had with Tilden, and President Arthur was not given a nomination for a second term, although he sought one. In all other instances the Republicans have renominated their Presidents, but have never named for the second time one who has been defeated. Cleveland was nominated by the Democrats in 1892, although he had been defeated in 1888, and Bryan's lack of success did not prevent his nomination in 1900 and 1908. The two Democratic Presidents since the Civil War, Cleveland and Wilson, both were renominated.

A military record is considered a good asset for a Presi-

dential candidate. All of the Republican candidates from 1868 to 1900 were officers of the Union army, with the exception of Blaine in 1884, and no man in American politics had been engaged more actively in "waving the bloody shirt" so as to be identified with the cause of the Union than he. Partly to offset this advantage of the Republican candidates, the Democrats named one of the heroes of the Union army at Gettysburg, General William S. Hancock, for the Presidency in 1880. Lord Bryce said: "Since the heroes of the Revolution died out with Jefferson and Adams and Madison, no person except General Grant has reached the chair whose name would have been remembered had he not been President, and no President except Abraham Lincoln has displayed rare or striking qualities in the chair."²⁰

This statement was written before Woodrow Wilson accepted the Presidency, but Americans generally will not accept the statement as true, believing that John Quincy Adams, Andrew Jackson, Grover Cleveland, and Theodore Roosevelt would have ranked with the positive personalities of any country. Nevertheless, it is true that through our nominating system employed in the national convention, many of our foremost men such as Gallatin, Calhoun, Webster, Seward and Sumner have not been named for the Presidency, and lesser lights have been honored in their stead.

Convention maneuvering.—Nowhere is good campaign management of better service than in a national convention. A candidate for the nomination for the Presidency ordinarily designates someone to act as his pre-convention campaign manager. This individual builds an organization intent upon capturing a controlling number of delegates in the convention and represents his candidate in the manipulations of the convention. In the event his candidate is nominated, the pre-convention manager often becomes chairman of the national committee for the campaign. A candidate without a competent manager has but a slim chance of winning a nomination. A competent manager may out-general a host of opponents and win the nomination for his favorite. Frank H. Hitchcock, as manager of the Charles E. Hughes candidacy in the Republican convention of 1916, made such inroads on

²⁰ James Bryce, "The American Commonwealth," vol. i, ch. vii.

the pledged strength of other candidates that the nomination of Hughes on the third or fourth ballot was generally conceded before the actual voting began. A Presidential candidate is bound by the promises made in his behalf at a convention. Often Cabinet portfolios and diplomatic appointments are promised before the nomination may be consummated. Such a practice violates the spirit of the corrupt practices laws. Even President Lincoln was obliged to appoint Simon Cameron, of Pennsylvania, and Caleb Smith, of Indiana, to Cabinet positions because of commitments in his behalf in the convention of 1860, although he regarded them both as unfit.²¹ Harding's nomination undoubtedly was consummated in 1920 by Daugherty, his campaign manager. He did not have an appreciable following in the country outside of his home state.

The Vice Presidential nomination often is given as a trade or sop to a defeated faction or to a pivotal state in a region somewhat distant from the home of the Presidential nominee. In 1900, Theodore Roosevelt was nominated for Vice President by the Republican party because the machine leaders of his party in New York wanted to get him out of the state where he was upsetting their plans.

The national committee is authorized by resolution of the convention or the rules of the party to fill any vacancies that may occur on the national ticket. When Vice President Sherman died in 1912, the Republican National Committee directed the Republican electors to vote for Dr. Nicholas Murray Butler for Vice President.

Personnel of conventions.—A national convention has as delegates substantially all of the members of the party who are United States senators and governors, most of whom are elected from the states at large. It ordinarily would be beneath the dignity of a governor or senator to serve as a district delegate, even though one has no more vote in the convention than the other. In addition, many of the more prominent members of the House of Representatives are delegates, a majority of the national committeemen and committee-women, the principal Federal office holders and prominent party workers in the states. The person who is the chairman

²¹ M. Ostrogorski, "Democracy and the Organization of Political Parties," (1902) vol. ii, pp. 112 et seq.

of a state delegation usually is the recognized leader of the party in the state. Often there is a contest for the chairmanship of the delegation, although all that the chairman does is to preside at the caucuses of the delegation and to announce the vote of the state on the convention roll calls. If the announcement he makes is challenged by another member of his delegation, the secretary of the convention will call the roll by names of the members of that delegation.

Charges have been made that Southern delegations to national Republican conventions often have their expenses paid by campaign managers of Presidential candidates. Oregon in 1910 and Minnesota in 1913 enacted laws paying the expenses of the delegates from those states to national conventions but repealed them in 1913 and 1917, respectively.

The Socialist party pays the expenses of its delegates.

Notification of candidates.—Before the convention adjourns, committees for the notification of the Presidential and Vice Presidential nominees are formed, composed of one delegate from each state and territory. The temporary chairman of the convention ordinarily serves as chairman of one committee, and the permanent chairman acts as the head of the other. These committees journey to the home of the candidate or to some other suitable point and officially inform him of his nomination. He replies with an acceptance speech, defining the party platform and his views, and this is circulated widely as a campaign document, thus marking the official opening of the campaign. In 1912, when former President Roosevelt and Governor Hiram W. Johnson of California were nominated by the Progressive or Bull Moose convention, because of the lateness of the date, they appeared before the convention itself and accepted the nominations. In a letter written to the Cleveland conferences which nominated him in 1924, Senator Robert M. LaFollette, of Wisconsin, announced in advance that he would accept the nomination.

Launching independent Presidential candidacies.—Whenever a third party with serious pretensions is launched, it is done in almost as imposing a manner as the national convention of one of the major parties. In 1912, when Theodore Roosevelt was defeated by President Taft in the Republican convention, he announced that he would head an independent movement. A convention was arranged which met in Chicago

in August, the method of the selection of the delegates apparently varied in many of the states, but probably most, if not all, of the states were represented. Roosevelt was nominated as was expected, and his choice, Governor Johnson, was named for Vice President. In the short time that existed between the Republican convention in June and the August meeting, there was not much chance to arrange for the formality of choosing delegates.

When Senator LaFollette sought the Presidency in 1924, it was first arranged by a "Conference for Progressive Political Action," which convened at Cleveland on July 4. Senator LaFollette was nominated by acclamation, but it was not considered advisable at the time to name a candidate for Vice President, so the national committee of the organization and the LaFollette-for-President committee were authorized to do so. The nomination of Senator Burton K. Wheeler of Montana for this position was made after he bolted the Democratic convention choices. The Socialist party endorsed the LaFollette candidacy and platform, and the candidates for electors appeared under the designation of that party in many states.

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Questions

1. When do the major parties issue calls for the national convention and which one has the privilege of first selecting a date?
2. What are the qualifications of convention cities?
3. What body determines the number of delegates to the convention?
4. Do the Republicans and the Democrats have an equal number of delegates now?
5. To whom is the convention call issued?
6. Where delegates are chosen by conventions how do the Republicans and Democrats vary in practice?
7. How does the Presidential preferential primary operate?
8. How do candidates for delegate and President have their names placed on the ballots?
9. What does the national committee do at its meetings just prior to the meeting of the national convention?
10. What elements generally are considered in selecting a temporary chairman?

11. Does the convention always ratify the committee's selection for temporary chairman?
12. What are the principal committees of the convention?
13. Before how many bodies may a contest be considered?
14. What principal religious denominations usually are represented in the persons making opening prayers?
15. Who calls the convention first to order?
16. What often is the importance of the choice of the temporary chairmanship?
17. How are candidates nominated?
18. How many are required to nominate in the Republican and Democratic conventions?
19. Why was the two-thirds rules originally adopted?
20. What is the effect of the unit rule?
21. What are the different types of candidate according to their strength or support?
22. From what states do most of the candidates come?
23. Does a military record hinder a candidate?
24. What considerations enter in making a nomination for Vice President?
25. If a vacancy occurs during a campaign how is it filled?
26. Who generally are chosen as delegates to the convention?
27. How are the candidates notified?
28. How many members are there of the principal convention committees and those of notification?
29. How do third parties of serious pretentions enter the political arena?

CHAPTER XVI

PARTY ORGANIZATION

Organization direction.—The structure of a party is under the direction of leaders, bosses, machines, rings and organizations, working actually or nominally or in almost entire disregard of a hierarchy of political committees recognized by party rules or law.

A leader is one who is recognized as the official spokesman of his party in nation, state, county, district, or city, and who holds his place ordinarily because the party workers recognize his position and acquiesce in his influence. A leader, ordinarily, attempts to sense the attitude of his followers and to direct their activities along the lines which he thinks are most conducive to party success.

A boss is one who controls by manipulation and drive. While bosses ordinarily prefer to be known as leaders, yet in the public mind there is a distinction. A boss ordinarily crushes opposition ruthlessly; while a leader attempts to conciliate. A boss often maintains his authority through somewhat underhanded and corrupt means. A leader is supposed to be more honest in his political dealings. A boss lacks the leader's tone of respectability.

There never has been a national boss. There have been many state bosses. Municipal bosses are not uncommon. "Boss" Tweed of Tammany Hall is the American boss with the worst reputation. He died in jail as a result of his reign of political corruption. Senators Platt of New York and Cameron and Quay of Pennsylvania were state bosses of a generation or two ago. Cameron became chairman of the Republican National Committee but his influence in the nation never was as generally respected in party councils and nominations as in his own state.

National party leaders are not frequent. Jefferson, Jack-

son, Bryan, and Wilson undoubtedly were leaders of the Democratic party. Roosevelt was the unquestioned leader of the Progressive party which he founded. Other Presidents and Presidential candidates often were not. State leadership often is recognized and frequently carries with it membership on the national committee of the party. Mayor Frank Hague, of Jersey City, is the recognized leader of the Democratic party in New Jersey and also committeeman from his state. The candidate sponsored by Hague is nominated for governor without opposition and thus the party enters the campaign against the Republicans without noticeable internal dissension. Governor Smith, of New York, in a speech before the Democratic national convention of 1924 proclaimed himself the leader of the party in his state, a fact which universally was recognized because of his political acumen and hold on the voters. The governor often is not the state leader of his party. Sometimes it is a United States senator or some other official and often there is no recognized leader.

All bosses and leaders must have political skill and a genuine understanding of human nature or they will be unable to handle men. They must have a sense of fairness, or at least a reputation for having it, or their power soon will be dissipated, and others will rise to exercise the influence they had. It is assumed that they will reward their followers equitably with nominations, party offices, appointments, contracts, and other favors.

Often bosses who may not have the best reputations for political straightforwardness will do popular acts that win the sympathy of many voters. Tweed gave his assemblymen at Albany standing orders to support all measures advocated by churches. William S. Vare, the Philadelphia boss, endeared himself to many of the aged of his city when he supported a bill for old age pensions before the Pennsylvania legislature in 1927.

A machine is the most active part of the organization of a party and is supposed to work with effective precision. Many organizations have no machine, because they are not effective enough to be placed in this category.

A ring is ordinarily a small clique which is a part of the machine. It is supposed to act for selfish purposes, such as the looting of the public treasury or the securing for sup-

porters of lucrative contracts and franchises. Rings are infrequent. The Tweed Ring, corrupt to the core, was typical of this class.

Organization is a term used in two senses. In its broader sense it includes all of the party, central, managing, and auxiliary committees and affiliated clubs. In its more restricted sense it is that faction of the party which is in control of its affairs. Sometimes its candidates for nominations and party offices designate themselves as the "regulars," because they have such organization support, as against "insurgents" who may be attempting to wrest control from them.

National committees.—The national committee first made its appearance in American politics in 1848. In the Democratic convention of that year, held at Baltimore, a central committee of one member from each state was authorized to take charge of the canvass and of the party's interests.¹ The single representation from each state was observed by the party until the advent of national woman's suffrage. The national committees did not attain their present importance until many years after their creation. The national chairman first to acquire a position of considerable influence was Senator Gorman of Maryland, who was chairman of the Democratic National Committee in 1884. He often was consulted by President Cleveland in patronage matters and wielded considerable influence by virtue of his position on legislation. Marcus A. Hanna, Republican national chairman in 1896, was President McKinley's closest adviser. Senator Jones of Arkansas, Democratic chairman in 1896 and 1900, frequently was consulted by the Republican administration on commissions for officers in the Spanish-American war. Vance McCormick, of Pennsylvania, chairman of the Democratic National Committee in 1916, made a notable record. Will H. Hays, trained in Indiana politics, demonstrated his genius as directing head of the Republican party in 1920.

Each of the major parties now has a national committee with a man and woman member from each state and the District of Columbia, Alaska, Hawaii, Porto Rico, and the Philippines. In addition, the Democrats have representation from the Canal Zone. The Democrats admitted an equal number

¹ Stanwood, *op. cit.*, vol. i, p, 232.

of women with men on their committee in 1920 and the Republicans in 1924. During the campaigns an executive committee ordinarily is chosen composed in part of persons not members of the national committee. Each committee has a chairman, the Democrats two vice chairmen and the Republicans three. Each party has a woman vice chairman. The committee chairmen, during campaign times, have the approval of the Presidential candidates. Often a person not a member of the committee is named chairman during the campaign. If a vacancy exists in the office between campaigns, the person so selected must be a member of the committee. The committees also have a secretary and treasurer and other officers. Sometimes during a campaign the chairman is in charge of the principal headquarters of the party, with a vice chairman in charge of Western headquarters.

Members of the committees are chosen by the delegates to the national convention as a rule. They are elected by state primaries in Alaska, Florida, Indiana, Michigan, Nebraska, North Dakota, Oregon, and Pennsylvania and by state committees in New Jersey and West Virginia. The state convention chooses the Republican committeeman and committee-woman in North Carolina and the Democratic in Colorado and South Carolina. They serve until their successors are elected at the time of the next national convention. Committee chairmen have the right to fill vacancies caused by death or resignation. In doing so, they follow the wishes of the party leaders of the state in which there is a vacancy.

Both Republican and Democratic national committees now maintain permanent headquarters at Washington with a force large enough to supply party newspapers with publicity and keep the state and local organizations informed.

Senatorial committees.—With the advent of the popular election of United States senators through the adoption of the Seventeenth Amendment to the Constitution, both parties formed senatorial committees for the election of members to the upper body of Congress. These committees work somewhat in conjunction with the national committees. The Republican Senatorial Campaign Committee, created in 1916, is composed of seven senators, appointed by the chairman of the Republican conference for a term of two years. These committees reorganize for each campaign and no man has served

as chairman for longer than two years. No senator is a member of the committee at the same time that he is a candidate for re-election. The National Senatorial Committee of the Democratic Party is composed of six senators chosen for two years by a party caucus.

Congressional committees.—Each of the major parties has a national Congressional committee which functions with the hope of securing or retaining control of the House of Representatives. The Republican committee is composed of one representative from each state having party membership in the House. The members are chosen by caucuses of the different state delegations. The Democratic committee is composed of a representative in Congress from each state having party membership in the House, chosen by state party caucuses, and in addition the chairman appoints two members, a man and a woman, from each state without party representation. These committees reorganize for each Congressional campaign, with one of their own members as chairman and such other officials as are deemed essential. Both committees maintain small permanent headquarters in Washington.

State committees.—The composition and method of choice of the state committee varies according to statute and party rules in all of the states. The largest Republican committee is in California, where it is composed of about 650 members. The smallest, according to the records of the Republican National Committee, is South Carolina, with one member. This one member, Joseph W. Tolbert, national committeeman from the state, has appropriated to himself the title of chairman of the state committee. His must be an onerous task. He probably was chiefly responsible for getting out the party vote in South Carolina in 1924, when 1,123 citizens went to the polls and cast their ballots for Coolidge for President. Then between campaigns he must spend a large amount of his time in Washington making recommendations for the distribution of the Federal patronage and visiting the offices of the examining division of the Civil Service Commission to see how high on the eligible lists are his favorites for the post office appointments. State committees often have executive committees which actually direct the campaign.

The records of the Republican National Committee indi-

cate that the state committees have the following composition:²

Alabama, chosen from the state at large and by Congressional districts.

Arizona, chosen by counties.

Arkansas, two from the state and one from each county.

California, at least three from each Congressional district chosen at the state convention, with northern and southern divisions.

Colorado, one from each county.

Connecticut, one man and one woman member from each of thirty-five districts.

Delaware, members chosen at large and by districts.

Florida, one from each county.

Georgia, two or three from each of thirteen districts, with an advisory committee in addition.

Idaho, one from each county.

Illinois, one from each of the twenty-five Congressional districts elected at a primary.

Indiana, two from each Congressional district.

Iowa, man and woman from each Congressional district.

Kansas, man and woman from each Congressional district.

Kentucky, four men and four women from the state at large and one man and one woman from each Congressional district.

Louisiana, three at large from each Congressional district and one from each parish and from each New Orleans ward.

Maine, one man and one woman from each county, total of 32.

Maryland, membership of 158.

Massachusetts, man and woman from each assembly district, chosen at primary.

Michigan, three from each Congressional district.

Minnesota, several from each Congressional district.

Mississippi, three from each Congressional district.

Montana, one from each county.

Nebraska, executive committee of two to five from each Congressional district and advisory committee of four to eight from each district and one from each assembly district.

Nevada, three to eight from each county.

New Hampshire, one from each town, total of 290, with executive committee of two to five from each county.

New Jersey, man and woman from each county.

New Mexico, two to six from each county executive committee of 14.

New York, one from each assembly district chosen at primary.

North Carolina, four from each Congressional district.

North Dakota, one from each assembly district.

Ohio, one from each Congressional district, a total of 22.

Oregon, one member from each county, total of 36.

Pennsylvania, man and woman from each senatorial district, except where district is composed of more than one county, then one from each county or portion of county, regardless of sex.

Rhode Island, two from each town and six from Providence with an executive committee in addition.

²This information was secured from the files in the office of the committee giving names of the members from which the statements are made as to their evident composition.

South Carolina, one member.

South Dakota, one from each county.

Tennessee, four from each Congressional district.

Utah, one from each county.

Vermont, man and woman from each county.

Virginia, executive committee of one from each Congressional district and committee of ten at large and four to ten from each Congressional district.

Washington, three from each Congressional district and one man and one woman from each county.

West Virginia, four from each Congressional district.

Wyoming, one from each county.

All of the state committees have chairmen, all but the Republican committee in South Carolina have secretaries, and most of them have vice chairmen, treasurers, and other officials. Recognition of the women voters has been responsible for them receiving many of the party offices. A few of the state committees, such as those in New York where there are annual assembly elections, maintain headquarters throughout the year.

District committees.—The organization of district committees varies all over the country. Illinois is an example of variance within a state. The Congressional committees outside of Cook county are composed of the chairmen of the different county central committees. The committees for the election of down-state circuit judges are formed in the same way. The senatorial committees for the election of members of the legislature are composed of three elected at a primary when the district is all within one county, and one elected at a primary from each county when composed of more than one county. Often the district committees are fairly inactive, leaving the more general work to the state committees with the local work to the county bodies.

County committees.—County committees throughout the country are composed in most instances of one or more members from each precinct. Sometimes these members are chosen at primaries where their supporters "write in" their names, and in a few cases at precinct caucuses or conventions. Often no one is elected from a precinct and the chairman of the committee is empowered to fill the vacancy. City committees often are organized in the same way as the county committees. Then the precinct committeemen serve on both the city and county bodies.

New York City.—The best known and perhaps the most efficient political organization in the country is that which generally is called "Tammany Hall" and popularly means the regular Democratic organization of New York County. New York County is co-terminous with Manhattan Borough, and is one of the five counties and five boroughs of New York City. The Society of St. Tammany, or the Columbian Order, was founded in New York in 1789 by William Mooney as a social organization directed against aristocratic influences. Under the manipulation of Aaron Burr, who became powerful in the society, it began its career as a partisan political organization in 1789, and opposed the alien, sedition, and naturalization acts of John Adams' administration. It has a membership of about 750. The officers, however, are all Democrats, active in New York County politics. The assembly hall of the society has been the meeting place of the controlling committees of the Democratic party ever since 1811. From 1800 to 1871 the Council of Sachems of the Tammany Society passed upon the regularity of committees, conventions, and nominations of the party and was the directing power of party affairs. By custom and precedent, the body meeting in Tammany Hall was regarded as the regular party. When the county committee was reorganized in 1871 and with the evolution of state election laws, the society, which had dictated Democratic politics, was divorced from this control and became, as it had been prior to Burr's intervention, a fraternal and patriotic body. Nevertheless, the society today is dominated by the party which it long controlled.³

There are in New York County twenty-three assembly districts, each electing one member of the lower house of the legislature. Each assembly district is subdivided into a convenient number of election districts or precincts for the purpose of casting the vote. In each of these election districts or precincts a number of members of an assembly district general committee is chosen, in proportion to the party strength in the precinct. These committeemen are chosen annually in the party primary. They must be enrolled party voters. This

³ See Gustavus Myers, "The History of Tammany Hall," (1917); and Edwin P. Kilroe, Abraham Kaplan and Joseph Johnson, "The Story of Tammany," (1924), prepared for the information of delegates to the Democratic National Convention that year.

district general committee is in reality a part of the county committee and also is a committee in itself for the assembly district. The district general committee elects a chairman and secretary and such other officers as it deems necessary. It also chooses one, two, or three district leaders and an equal number of women co-leaders. These leaders also are known as executive committee members, and are chosen with the approval of the county executive committee. The larger districts sometimes have more than one leader because of their size and by mutual agreement the territory administered is divided. Sometimes there is more than one leader because of a reapportionment of the legislative districts and because of a desire to avoid a fight between two strong party men. Often each leader is president of a Democratic club in the district. The chairman of the district committee is chairman of the campaign committee and a member of all standing and special committees. He is in charge of the primary and election campaigns in the district and in authority ranks next to the executive member or district leader. Often the district chairman succeeds to the district leadership. Each district general committee chooses an auxiliary committee which coöperates with the district general committee and participates in its meetings. Its members, however, cannot vote for officers of the district general committee. All of the members of the district general committees of the twenty-three districts are members of the New York County Democratic-Republican (official name of the party) committee and they organize by the election of a chairman, secretary and other officers. Each member of the committee is assessed \$10 annual dues, most of which is not paid. Each district is assessed \$500 and local candidates are expected to contribute. The total membership of the county committee in 1927 was 10,774.

The actual managing body of the party is the executive committee, which comprises the executive members or district leaders. In addition there are ex-officio members who are chairmen and vice chairmen of the different standing committees and the general committee treasurer. A new member may not sit on the committee until he has been approved by the retiring committee, but, in fact, the choice of the district is always recognized. This committee directs the policies of finance, campaign, and administration of the branches of the

city administration it controls. The committee has a chairman, secretary, and other officials.

The actual head of the organization of Tammany is the county leader, who at the present time is former Judge George W. Olvany. At one time the destinies of the organization were guided by a triumvirate. Olvany has no party office other than being one of the leaders of the tenth district. Incidentally, he is a sachem of the Tammany Society. He was selected in 1924 by agreement among the members of the executive committee, and partly through the influence of Governor Smith. He holds his office so long as the district leaders acquiesce in his leadership. He determines the nominations for the county and borough offices. In the event that executive members of a Congressional or other territorial district are unable to agree upon a nominee, he makes the selection. His selections are subject to the approval of the primary created by law, but the organization supports his choices and they are nominated. If the district leaders refused to consult him further, his leadership would end, or if the executive committee by resolution selected another, his reign would cease.

The chairman of each district general committee appoints a district captain for each precinct. Sometimes he appoints with him an assistant captain. He has charge of the party work in the precinct and may be removed at any time by the district general committee chairman. These district captains act, as do the chairmen and leaders, without pay for their services. A large majority of them are office holders or receive other favors from Tammany officials which they are expected to repay with their influence and exertion during campaigns. The district captains form a committee in each assembly district which meets for consultation, suggestions, and other practical work.

An important part of the Tammany organization is the system of clubs. There is a national Democratic club which has members from all parts of the city and then there is at least one club to each assembly district. These clubs are often named for district leaders who support them. Among the clubs are those bearing the names of Downtown Tammany club, John F. Ahearn association, Horatio Seymour club, Huron club, Anawanda club, Wichita club, Iroquois club, Jeffersonian club, Monongahela Democratic club and the Tam-

many Club of West Forty-second Street. These clubs arrange social affairs for the benefit of their members and maintain well furnished rooms, where the members gather for social fellowship.

Tammany's effectiveness was partly explained by Professor Beard, who wrote:

"Tammany is our great social service agency and it holds its power because it understands sympathetically the needs and trials of the masses. Its leaders visit those who are sick and in distress. They give drink to those who are thirsty and bread to those who are hungry. Tammany asks no questions and fills out no pink and green cards. Its office hours are not from ten to four but continuous. Its virtue is its humanity, its understanding of the human needs of the common man. Under two Tammany mayors the Health Department of the City of New York was transferred into the greatest single public service of its kind in the world."⁴

Tammany so often has helped the poor of New York County that the non-silk stocking districts are largely overwhelmingly Democratic. It never has recovered, in the estimation of the country, from the crookedness of the days of Boss Tweed. Democratic leaders from other states have fought Tammany aspirations at national conventions. Nevertheless, it reaches the voters and is the envy of political organizations the world over.

The Democratic organization in the other four boroughs is much the same as Tammany in Manhattan. The leader may be the chairman of the executive committee of the county or merely an office holder, whose leadership is recognized, by acquiescence, as in Tammany. The leader of Tammany ordinarily is spokesman for the party in the entire city, but this is not the case always. In the municipal primary of 1925, the leaders of Manhattan and the Bronx successfully opposed the renomination of Mayor Hylan, who was supported by the leaders of Brooklyn, Queens, and Richmond boroughs. Temporary organizations were made in these three boroughs in opposition to Hylan and part of the patronage of the Walker administration was dispensed through them. The entire Democratic organization in the city supported the ticket in the election.

⁴ Kilroe, Kaplan and Johnson, *op. cit.*, p. 73.

The Republicans are organized in New York City along lines similar to the Democrats, with borough and district leaders, committees, and clubs. With the large increase in the Democratic vote in the city in municipal and state elections in recent years, the Republicans have had to depend very largely upon Federal positions for patronage.

Chicago.—Under the Illinois law, Chicago parties organize on the basis of wards. A committeeman is chosen for each party from each of the thirty-five wards. He is chosen at a direct primary and serves for four years. Each committeeman names a precinct committeeman for each of the precincts in his ward. Members of the city committee at its meetings cast votes in proportion to the number received by the party gubernatorial candidate at the last election. Factional lines are drawn closely in Chicago. The Democrats are divided into the Brennan and Harrison-Dunne-O'Connel factions, and the Republicans into the Thompson and Deneen groups. Each of the factions has a committee which parallels somewhat the regularly constituted city committee. If the ward committeeman is a member of the committee, he serves, too, on the factional city committee, and if the committeeman is hostile, another is appointed by the organization to represent the ward on the factional committee. The heads of the factions in the wards oppose each other for committeeman at the primary. The Hamilton Club has long been the principal Republican club of the city, and the Iroquois the leading Democratic organization. Ward clubs have been organized all over the city.

Philadelphia.—The Republican organization in Philadelphia, a city where Democratic opposition is negligible, is a marvel for its efficiency. So efficient is it that a six-year-old negro girl is recorded as having voted in an election in 1926. There are forty-eight wards in the city, each with from nine to eighty-two divisions or districts, ordinarily known elsewhere as precincts. There is a division committee, theoretically, in each division composed of all of the qualified Republican voters resident therein. On the second Tuesday of each December this division committee in caucus elects a president, secretary, and treasurer. Biennially, at direct primary elections, two members of the ward executive committee are chosen from each division by the qualified party electors. The

ward committee organizes by the election of necessary officers and at the same time chooses one member of the central campaign committee of the city. This member of the city committee is the official ward leader. Every ward leader is a man. While in theory the Philadelphia system seems to be democratic, and as proceeding from the voters upwards, actually it is a hierarchy, very difficult to enter. The ward leaders carefully organize throughout their districts in order to control the ward committees. The term of the central campaign committee is for one year. Nominees for city, county, and ward offices are ex-officio members, without the right to vote for officers. These ward leaders and their henchmen have been trained in the Penrose and Vare schools of politics, graduating *summa cum laude*. It would be unfair to any other political committee of a municipality in the United States to have it likened to the Philadelphia Republican organization. Undoubtedly, it is the worst, partly because there is no militant minority there. Many divisions turn in unanimous votes for the organization. Election officials, required under the law to be Democrats, in many cases vote the Republican ticket and accept appointment as Democrats merely to help the organization. Often the Philadelphia newspapers oppose the Vare ticket in the primary but line up in its support in the election rather than support a semblance of an opposition ticket which has no chance of success.

Walb plan.—The best organized state, politically, is Indiana. This is due, in part, to the closeness of the vote there, where the pendulum swings easily from one side to the other. The thoroughness of the organization work of that state is illustrated by the plan devised by Clyde A. Walb. It was adopted at a meeting of the Republican state committee in 1924, and is now in effect so far as that party is concerned. The work is assigned among both candidates and party officers in a systematic way. The territory of each county is subdivided among the Republican county candidates in such divisions as meet the approval of the county chairmen and the convenience of the candidates. The territory sponsored by each candidate is taken care of in detail through the help of the candidate directing and assisting the committee members in the respective precincts. The county candidates direct and help the precinct committeemen in securing ten men and ten

women, interested Republican workers, in each precinct and report these workers to the county committee, transmitting a copy of the names to the state committee. The county candidate directs the taking of the poll in his territory, supervises the registration of the voters, directs the election day arrangements for securing a complete vote, and also takes the responsibility of seeing that the voters are notified of all of the public meetings held in his territory during the campaign. The county candidates organize themselves into a committee to assist the county chairman. The county candidates hold meetings, all being together once each week, beginning September 1 and continuing until election day, and they go about the county, meeting in the different localities each time as much as possible.

The district chairman, vice-chairman, candidate for Congress, state candidate, and judge assigned, visit the territory and district, meeting with the county chairman and his organization, together with the organization of the county candidates. They make the first tour over the district before August 15, and the second tour before September 10, and thereafter proceed with the checking-up of Republican activities and organizing Republican voters, under the direction of the district chairman, until election day. The districts are covered before August 15 so that the chairman may make a report to the state chairman on conditions by that date. These and other reports are for the information of the state chairman as to the political conditions of the respective counties and their subdivisions. Remedies for party trouble and specific assistance may be suggested in the reports.

The ten men and ten women selected in each precinct are expected to assist the candidates and committeemen in securing the proper poll at as early a date as possible. The poll is retained by the precinct workers and copies are sent to county, district, and state headquarters.

Socialist party organization.—The Socialist party has provided, through its constitution, for an organization quite different from those of the major parties. It provides that all residents of the United States of voting age shall be eligible to membership.⁵ Members may not hold elective or appointive

⁵“National Constitution of the Socialist Party,” (1924), art. ii, sec. i.

office, with the exception of civil service positions, without the consent of the state organization.⁶ Members may transfer from the organization of one state to that of another upon presentation of a card of membership showing good standing.⁷ All persons joining the party are required to sign the following pledge:

I, the undersigned, recognizing the class struggle between the capitalist class and the working class, and the necessity of the working class organizing itself into a political party for the purpose of obtaining collective ownership and democratic administration and operation of the collectively used and socially necessary means of wealth production and distribution, hereby apply for membership in the Socialist party, and inclose \$3.00 for dues. I also subscribe for *The Socialist World* for the period of my membership, forty-eight cents of each year's dues paid by me being for subscription to the publication. In all my political actions while a member of the Socialist party I agree to be guided by the constitution and platform of that party. Upon acceptance of my application for membership I agree to apply, wherever possible, for membership in a labor union of my trade or occupation. Non-citizens agree also, upon acceptance to membership, to apply for citizenship within three months thereafter.⁸

The affairs of the party are administered by the National Executive Committee and national officials, the national conventions, and general vote of the party. The National Executive Committee is composed of seven members elected by the national convention, not more than two being from the same state. The committee takes office immediately following its elections and holds office until the next regular convention, when successors are elected. The committee is elected by secret ballot and seven additional members as alternates are chosen in the same manner. A majority vote is required to elect. In the event of a vacancy on the committee, it is filled by an alternate in the order of the vote received.⁹ Members of the committee may be recalled by a referendum. A motion for such a recall may be initiated by any one local with seconds of locals with a membership of at least 10 per cent of the total

⁶ *Ibid.*, art. ii, sec. ii.

⁷ *Ibid.*, art. ii, sec. iii.

⁸ *Ibid.*, art. ii, sec. v.

⁹ *Ibid.*, art. iii, sec. i.

membership of the party in at least five different states. The motion may be accompanied by a statement of not more than 500 words. A motion to recall is open for seconds for not more than 90 days. In the event such seconds are secured, the national secretary immediately sends out the referendum. Motions failing to receive the seconds during the required time, having been published in the party bulletin, must be dropped and cannot be renewed during the period of the service of the member or members. In submitting ballots to a vote on recall, the local initiating the motion and the member or members who are to be recalled, have the right to submit a statement of reasons, not to exceed 1,000 words. This is submitted with the ballots for a vote. If more than one member is to be recalled, each defensive statement is limited to 300 words. Sixty days are allowed for the voting, and the ballots must be retained by the locals for at least six months and sent to national headquarters, if demanded. Only members in good standing of at least six months may vote on the recall. No recall may be had if the national convention is to meet within sixty days.¹⁰ Three years' consecutive membership in the party is necessary to qualify for membership on the National Executive Committee and as executive official.¹¹

It is the duty of the National Executive Committee to represent the party in all national and international affairs, to call national conventions decided upon by referendum, to make reports of membership and party conditions with recommendations, to strengthen the organization, promote propaganda and establish regular organization and lecture circuits, to formulate rules and order of business of the national convention not otherwise provided for, to receive dues and reports from state organizations, to conduct national referendums, to supervise the work and transact all current business of the national office, to print the minutes of its meetings in the official organ, to publish statements of moneys expended for printing leaflets and books, to maintain necessary bureaus and departments, and to supervise the activity of elected legislative representatives and party-owned newspapers.¹² The funds of the party may not be appropriated by the committee for any purpose

¹⁰ Ibid., art. iii, sec. ii.

¹¹ Ibid., art. iii, sec. iii.

¹² Ibid., art. iv, sec. i.

not directly connected with the propaganda of socialism or the struggles of labor.¹³ National membership dues are \$1.50 per year, 48 cents being for one year's subscription to the *Socialist World* and 36 cents for the expenses of the national convention.¹⁴ The committee has an executive secretary subject to removal by referendum.¹⁵ The secretary has charge of the national office.¹⁶ He must publish full reports as to party finances and affairs.¹⁷

The party holds a national convention in even numbered years. Special conventions may be called by referendum or a two-thirds vote of the National Executive Committee.¹⁸ The committee fixes the date and place of the convention.¹⁹ In Presidential years, the convention is composed of 200 delegates, giving one to each state and the remainder apportioned according to the average national dues paid by the organization of such states during the preceding years. Delegates must be resident members of the state and for at least three years members of the party.²⁰ In other years, the convention is composed of the state secretaries and one delegate from each state having a membership of 1,000 or less, and one additional delegate for every additional 1,000 members or major fraction thereof, based upon the sale of dues stamps for the preceding year.²¹ Traveling expenses and a per diem allowance of \$5 to cover expenses are paid the delegates from a special convention fund created by setting aside three cents for each dues stamp sold by the national office.²² Delegates are elected by referendum.²³ Election of delegates to the convention is completed thirty days before it meets. When it convenes the roll is called to ascertain the number of uncontested delegates, who permanently organize the convention.²⁴ The national convention nominates Presidential and Vice Presidential candi-

¹³ *Ibid.*, art. iv, sec. vii.

¹⁴ *Ibid.*, art. iv, sec. ix.

¹⁵ *Ibid.*, art. v, sec. i.

¹⁶ *Ibid.*, art. v, sec. ii.

¹⁷ *Ibid.*, art. v, sec. iii.

¹⁸ *Ibid.*, art. vi, sec. i.

¹⁹ *Ibid.*, art. vi, sec. ii.

²⁰ *Ibid.*, art. vi, sec. iv.

²¹ *Ibid.*, art. vi, sec. iii.

²² *Ibid.*, art. vi, sec. v.

²³ *Ibid.*, art. vi, sec. vi.

²⁴ *Ibid.*, art. vi, sec. vii.

dates, elects a national chairman and adopts a platform. Vacancies are filled by the National Executive Committee.²⁵ Platforms, resolutions, and Constitutional amendments may be submitted to referendum upon initiative or the request of one-fourth of the delegates.²⁶ The National Executive Committee prepares an agenda for the convention, issuing a call for resolutions and suggestions.²⁷ The national convention elects an international secretary.²⁸ The National Executive Committee elects delegates to international conferences.²⁹

Members of Congress elected on the Socialist ticket must submit reports of their actions to the national conventions.³⁰ In the support of measures proposed by the party, they must carry out the instructions of the national conventions, the National Executive Committee or referendums of the party.³¹ In all legislative bodies, the Socialists organize as a group separate from other parties and vote as a unit on measures definitely declared for in party platforms.³²

Party organization in the states is under the direction of the National Executive Committee.³³ A state must have at least ten locals and an aggregate membership of not less than 200 to have a chartered organization. The National Executive Committee may revoke the state charter when its aggregate membership averages less than 150 for six consecutive months.³⁴ State and municipal platforms must conform to the national, and the state or local organization may not fuse with the Republican, Democratic or any other party whose policies and platforms are inconsistent with those of the Socialist.³⁵ Coöperation with labor and farm organization and "progressive" groups is permitted for "independent political action."³⁶ Socialists must not support candidates other than those endorsed or recommended by the party.³⁷ The state organiza-

²⁵ Ibid., art. vi, sec. viii.

²⁶ Ibid., art. vi, sec. ix.

²⁷ Ibid., art. vi, sec. xi.

²⁸ Ibid., art. vii, sec. i.

²⁹ Ibid., art. vii, sec. ii.

³⁰ Ibid., art. viii, sec. i.

³¹ Ibid., art. viii, sec. ii.

³² Ibid., art. viii, sec. iii.

³³ Ibid., art. ix, sec. i.

³⁴ Ibid., art. ix, sec. ii.

³⁵ Ibid., art. ix, sec. iii.

³⁶ Ibid., art. ix, sec. iv.

³⁷ Ibid., art. ix, sec. v.

tions control the party voters within the state.³⁸ State bodies make monthly reports to the national organization, and local and branch secretaries similarly make reports to the state and district secretaries.³⁹

The party is supported by dues which are now 25 cents per month, half of which is paid to the national organization and a similar amount to the state. When the membership reaches 25,000, the dues will be reduced to 20 cents and when it reaches 50,000, to 15 cents. Where there is no state organization, members join at large at 50 cents per month. Dues stamps are issued.⁴⁰

The party recognizes the foreign-speaking public by providing that five branches of the party conducting their business in any other language than English have the right to form a National Executive Committee.⁴¹ A translator-secretary is the principal official.⁴² Language federations are a part of the general organization and pay the same dues.⁴³ A representative of each federation sits with the National Executive Committee, with voice but without vote.⁴⁴ Socialist party organizations in the insular possessions are permitted to affiliate with the national party body.⁴⁵ They pay a per capita tax of one cent per month for each member.⁴⁶ They are entitled to one delegate to national conventions, whose expenses they must pay.⁴⁷ The party has provided for a Young People's Socialist League, for work among those between the ages of 14 and 25. This also is a part and under the supervision of the regular party organization, with voice but not vote in party meetings.⁴⁸

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³⁸ Ibid., art. ix, sec. vi.

³⁹ Ibid., art. ix, sec. vii.

⁴⁰ Ibid., art. ix, sec. viii.

⁴¹ Ibid., art. x, sec. i.

⁴² Ibid., art. x, sec. ii.

⁴³ Ibid., art. x, secs. iv-viii.

⁴⁴ Ibid., art. x, sec. ix.

⁴⁵ Ibid., art. xi, sec. i.

⁴⁶ Ibid., art. xi, sec. ii.

⁴⁷ Ibid., art. xi, sec. iii.

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Questions

1. By whom is the party structure directed?
2. Define a leader.
3. Define a boss.
4. Name some national leaders of the Democratic party.
5. Is the governor the state leader of his party?
6. Does a party always have a recognized leader?
7. What qualities must bosses and leaders possess?
8. Do dishonest bosses ever ingratiate themselves with the public?
9. What is the most active part of the organization of the party?
10. Define "ring."
11. In what ways is the word "organization" used?
12. What is the personnel of the national committees of the major parties today?
13. How are members of the national committees chosen?
14. Where are permanent national committee headquarters maintained?
15. What are the national senatorial committees?
16. How do the personnel of the Republican and Democratic Congressional committees differ?
17. How does the size of the state committees run?
18. Are district committees similar in composition?
19. How are county committees generally composed?
20. Discuss the organization of the Democratic party in New York County.
21. How do the Chicago parties organize?
22. How is the Republican party in Philadelphia organized?
23. What is meant by the Walb plan?
24. How is the organization of the Socialist party derived?
25. Do the members of the Socialist party exert much control over party elections?
26. Is party discipline more strict among the Socialists than other parties?
27. Do Socialists in legislative bodies vote independently?

CHAPTER XVII

CAMPAIGN METHODS

Types of appeal.—In every political campaign there is more than one element of the voters to whom appeals must be made by party managers and candidates. The larger the area in which the election will take place, the more diversified these elements. In the national campaigns there are several bureaus and divisions of the national committees, each making different appeals to sections of the electorate. In some cases these appeals are along ethnic or racial lines; in many, occupational; in others, geographic, and in a few, in accordance with the intelligence or education of the class to be reached.

John Sharp Williams once stated in the Senate that only one in ten persons was intelligent, and then a few seconds later revised his estimate and said one in twenty. Applying this ratio to the electorate, the number to be moved by appeals to the intellect would be so small as not to justify much of an outlay of expense in order to reach them. However, as the intellectuals are often leaders of a community and influence non-intellectuals in their voting habits, it is essential for this class of people to be reached. Nevertheless, there are campaigns when a party will gain the support of numbers of the more intelligent classes and yet lose at the same time the popular following which would have carried with it victory. In the Presidential campaign of 1920, Governor Cox, on the issue of adherence to the Versailles treaty, attracted many statements of support from intellectuals but lost large numbers of regular members of the Democratic party, and his defeat was one of the most disastrous in American political history. In the municipal campaign of 1927 in Chicago, Mayor Dever, the Democratic candidate for re-election, secured the support of the daily Republican press, Professor Charles E. Merriam, a former Republican candidate for the same office, and the

leaders of the city's professional and business life. His Republican opponent, William Hale Thompson, who claimed that public school histories were favorable to England, and with a slogan that "King George should keep his snoot out of Chicago affairs," made a strong appeal to anti-British racial prejudices and won easily.

Campaign managers, then, must not neglect the appeal to the masses and their emotions, and it is in this phase of politics that the demagogue often demonstrates his capacity. The masses are not often moved by appeals of general altruism, but must be shown how they will personally benefit by the success of the party or candidates. If they cannot be convinced that there is a pecuniary gain for them, direct or indirect, the appeal is most effective when made along the lines of their whims and prejudices.

The regular members of the party ordinarily are those to whom the smallest amount of time must be devoted to keep them in line for the ticket. Sometimes, after a bitter factional fight in a convention or primary, the revolt of a large number of the regulars is threatened and argumentation or pressure or both must be brought to bear to make them give their usual support to the ticket. As a minority ordinarily is more solidified than a majority, the party in control of a county or state is the one which is most likely to suffer from wholesale defections. The principal part of the energy, particularly of a party which has been in the minority, is devoted toward making converts. No minority ever may be transformed into a majority without the aid of stay-at-home voters unless this is done. Along with the appeals made to those who have been voting an opposition ticket, are the efforts to secure the support of first-voters. Since the large majority of voters follow through life their early political affiliations, these converts are the most important of all, for they stand the chance of being of the greatest permanent benefit to the party.

A large part of the organization of a national committee is devoted to making appeals along racial lines. This also is true in many state campaigns and in some of the local contests where the voters have not forgotten the ties of their European extractions. When the Irish immigrants first began arriving in this country in large numbers they encountered severe aristocratic Whig opposition in New York, Philadelphia, Boston,

and other cities. The Democratic party, influenced to a large extent by the precepts of Andrew Jackson, rushed to their defense and welcomed them to places in the party's organization. This reception has been of incalculable benefit to the party because the large masses of Irish extraction form the backbone of the party in the large cities of the North, and without their assistance it would be difficult for the Democrats ever to carry the doubtful states. Some of these nationalities are easily influenced by appeals to their racial pride. In 1912, President Taft carried only one ward in Chicago when he ran for re-election, and that was a Polish neighborhood. Eight years later, Governor Cox, Democratic candidate for the presidency, carried but one, the same, because the Poles were pleased with the recognition of Poland as a state at the Paris Conference at which President Wilson played an important role. Likewise, appeals are made to persons of German, Lithuanian, Jugo-Slavian, Italian, and Scandinavian origin, often in the foreign language newspapers. Literature in their native languages is distributed among them and speakers address them in their own tongues. Since the large migration of negroes to the North, which began during the World War, the political parties have made strong appeals for their aid. While the Democrats have succeeded in gaining a large part of their support, as heretofore stated, in the Harlem district of New York, they have allied themselves with the Republicans almost unanimously in other cities. Political organization is constructed with the recognition of the foreign elements as one of its cardinal factors in all of our large cities.

Appeals are also made by virtue of the occupation of the voters. Business men's leagues are formed in many campaigns and they are particularly helpful in bringing financial support to a ticket. Appeals to labor have been an important factor in all of our recent campaigns and the American Federation of Labor, the railroad brotherhoods, and their allied organizations have endorsed candidates favorable to the wishes of their members, always giving the preference to their own affiliates who seek office. Many business and laboring men do not care to vote as members of a class but as individuals, and are deaf to these appeals. Perhaps no large class responds so quickly to issues affecting it as the farmer. Many members of Congress with large union labor constituencies have not hesitated

to vote in opposition to their demands, but they fear the farm vote. Progressive farmers subscribe to agricultural periodicals and have some acquaintance with legislation and policies affecting their interests. Another element to which appeals are made for support is that of the veterans. The Grand Army of the Republic was so influential in this country for the half-century following the Civil War that it was dubbed the "Grand Army of Republicans." Veterans of the World War are now courted as to their desires in the matter of legislation.

Nothing has a more general appeal than the adoption of an effective slogan in a campaign. Those which contain some reference to "prosperity," attributed to the party sponsoring the slogan, are always counted upon to influence a portion of the electorate. The "full dinner pail" slogan which Mark Hanna used on behalf of President McKinley in 1900, undoubtedly brought that candidate large support from labor. Bryan used the slogan of "let the people rule" in an attempt to show that the Republican party was not in sympathy with the ideals of the masses in 1908. "He kept us out of war" possibly was responsible for the re-election of Wilson in 1916. It undoubtedly influenced many women voters and Wilson carried most of the equal suffrage states. As slogans are effective in campaigns, phrases used by speakers are often emphasized and play great weight in the result. In 1884, the Rev. Burchard of New York accused Grover Cleveland's campaign of being backed by "Rum, Romanism, and Rebellion." He had the impression that many of the people in the liquor business, a majority of the Roman Catholics, and the states of the former Confederacy were supporting the Democratic candidate. This remark may have cost Blaine the election, for Cleveland carried New York by a slender margin. On the other hand, it is possible that it brought to Blaine's support many who were opposed to the saloon, others who had prejudices against Roman Catholics, and those to whom the "waving of the bloody shirt" would cause them to remember that the Republican party was the party of the Union.

Records and issues.—The issues of the campaign largely arise from the records of the parties and the candidates. Party platforms are given wide publicity. The positions of the candidates are eulogized by their supporters and attacked by their opponents. A party in power is blamed for all of the

evils of the time it has held office by the opposition, which likewise refuses to concede it credit for the benefits arising during the period of its incumbency. Likewise, the "ins" attribute any lack of prosperity to causes beyond their control but claim the credit as accruing to their policies of any possible advantages. A party, to be consistent, usually nominates candidates who are in sympathy with its own record and who ordinarily have made a part of that record. If a party senses its own weakness, it may go elsewhere to get a candidate. When the scandals of the Grant administration had brought it in low esteem by 1876, the Republican candidate chosen that year, Hayes, was a man who had not been in national life, but was the popular governor of Ohio. In 1864, the Democratic party contained all of the elements in the North which were opposed to the Civil War, and also many who were in sympathy with the Union cause. The convention adopted a platform calling the war a failure and demanding that it be ended and the seceding states brought back into the Union. General McClellan, who twice had been in command of the Army of the Potomac, accepted the nomination but promised a vigorous prosecution of the war to a speedy and victorious conclusion.¹ Thereby, both elements largely were held in line for the party.

Often, it is good politics to emphasize a certain issue in one section and another elsewhere. In the campaign of 1896, the Republicans were afraid of the free silver issue and thought it would be best to fight it out on the more certain ground of the tariff. The Democrats, however, would not let them do so. Nevertheless, in California, the tariff was emphasized throughout the campaign and very little was said about free silver. Very often an issue vital to one section will not have any influence in another. The Republican and Democratic parties might divide sometime on the kind of flood relief to afford the people of the Mississippi valley. One party might declare in favor of Federal appropriations for higher levees and the other make a declaration in favor of cutting out or shortening the longest bends in the river and dredging the channel. While the people in the Mississippi valley might have a preference as to the method to be selected, those in the Rocky

¹ Stanwood, E., op., cit., vol. i, p. 306.

Mountain regions and along the Atlantic seaboard would not be interested sufficiently to give the question any more than casual conversational mention. In recent state campaigns, where there has been a difference of opinion among the gubernatorial candidates as to prohibition, the wets have sought to force the issue in the cities and the dries in the rural areas. Often, when the issue is so pressed, it cannot be avoided.

In a well organized political group, the voters will often be polled to ascertain their attitude on a certain question. At a special Congressional election held in New York in 1923, the Tammany organization made a straw vote of the district to ascertain if the voters favored the repeal of the Eighteenth Amendment to the Constitution in preference to a modification of the Volstead act. The poll showed the majority favored outright repeal, so that was made the issue, and the Democratic candidate triumphed in a district which had been considered normally Republican.

Ordinarily, the party in power has the position of being on the defensive and the opposition the offensive. Obviously, the voters will permit the "ins" to remain in and the "outs" to stay out, if some good reason cannot be shown where the party in power has failed. A shrewd campaigner who is in may be able to reverse the attack, an advantage to the "ins," if it can be done, which generally brings with it victory. Again, the "outs" may over-do the attacking feature and convince the voters that they are chronic complainers, and should not be entrusted with power.

Use of mails.—One of the most expensive features of the modern campaign is that caused by the use of the mails for circulars and letters. In 1924, there were 3,887,554 registered voters in the state of New York, in 1926, 3,617,915. Postage on a single letter sent to every voter in the state would have cost \$77,751.08 in 1924 and \$72,358.30 two years later. Printing and clerical help in addressing, folding, and mailing these letters, with cost of stationery, would have doubled the cost, making the use of the mails for general appeals prohibitive unless the party or candidate had large campaign funds. Then, unfortunately, for the sender of the letters, a great many voters discard campaign mail without reading, although personal material is likely to receive attention.

Meetings.—Perhaps the most difficult position in a large campaign is held by the person who is in charge of the speakers' bureau. Every community wants top line speakers and claims it will not be satisfied with any of the lesser lights. There are not enough United States senators, governors, Cabinet officers, and other prominent officials to go around, and so substitutes must be provided who are accepted only reluctantly. Likewise, the average campaign speaker who has participated in more than one contest, feels the importance of his work and wants only the most desirable of assignments with large audiences assured. The number of votes changed by oratory during campaigns may not be large. There are many who think that less than one per cent at the average meeting is changed in its belief by virtue of anything that is said by the speakers. Certainly campaign meetings attract very largely the members of the same party as the speakers. The meetings do afford a place and time for persons to manifest their enthusiasm. If few voters are swayed by oratory at the meetings themselves, undoubtedly the newspaper accounts seek to keep the issues before the public and are informative of the positions taken by candidates.

The most difficult meetings of all to address are those held outdoors. The speaker there is faced by a changing crowd during the whole of his talk. He cannot so organize his speech as to give lengthy illustrations. His remarks must be pointed and made to impress the auditor who tarries but five or ten minutes. Street noises must be combatted. Open air meetings ordinarily are frowned upon by the major parties except where they are used for the accomodation of "overflow" crowds who are unable to get inside a hall used for a regularly scheduled gathering. The Socialists and other minor parties are often forced to use outdoor meetings since they are unable to attract crowds large enough in size to justify arrangements elsewhere. The most satisfactory meetings are those held inside halls, theatres, school houses, or court rooms. These meetings are all advertised and carried forward with formal introduction speeches. At times, parades and torch light processions of party members are arranged to precede the meetings. Such demonstrations tend to solidify the ranks of both parties. Where partisanship is so solidified, there is

likely to be more straight ticket voting and less scratching, and ordinarily the minority party in a community suffers thereby. Band music is provided for the parades and often is used in front of the meeting place in order to assist in drawing a crowd and arousing enthusiasm. Even fireworks may be called into service as a vehicle for the expression of emotion.

Joint debates between candidates of opposing parties have almost passed from American politics. People who attended the Lincoln-Douglas debates in 1858 believed that they did not make votes for either candidate since the auditors went with their minds made up and determined to make as good a showing as possible for their favorites. This has been true of other debates between candidates of opposing parties. It is the custom in many states for primary candidates to canvass together and hold joint meetings, enabling them to conduct their campaigns with more economy. Often in rural communities, candidates are heard at the opening of court, when a large crowd has been attracted to the county seat.

In many American audiences in recent campaigns the practice of heckling has arisen. The heckler usually is seated at some favored place in the audience and badgers the candidate or speaker with a question at an opportune time during his address. Often such a question from a heckler may be turned into an advantage for the speaker. In some cases, politicians arrange for a heckler to be present and ask the speaker a question. He has a ready reply which is expected to arouse the enthusiasm of the audience and allow him to make a timely point. Other campaign managers attempt to avoid heckling. When Senator Harding, in his campaign for the Presidency in 1920, was addressing an audience at Baltimore, a man questioned him relative to his attitude on the League of Nations. The sponsors of the meeting had the heckler arrested. Needless to say, the Democrats made the most that they could of the incident, and when Governor Cox spoke there a few weeks later he invited questions from the audience.

In order to encourage an extension of acquaintanceship among workers and to arouse enthusiasm, outings, clam bakes, dances, barbecues, athletic meets, or theatrical performances often are arranged during the course of a campaign. While votes are not made on such occasions, the fraternal feeling

aroused is such as to be of advantage to the party when the actual work of getting out the registration and the vote takes place.

Types of campaign.—There are many kinds of political campaign. The strategy of a political fight should be as carefully planned as that of the clashing of arms on the field of battle. There are some general classifications which hold good, with perhaps minor variations in certain localities, in all campaigns.

The campaign which is the most used is the "hoop-la" or "hurrah" brand. This is the campaign where the party managers seek all of the publicity possible, enlist as many workers as are available for the task of electioneering, and hold as many public meetings as may be supplied by competent speakers. In such campaigns, the managers generally make extravagant claims, conceding almost nothing to the opposition.

Another kind of campaign, which is pursued along entirely different methods from that of the "hoop-la," is the "gum shoe" variety. In this kind, party managers work altogether behind the scenes. Only a few meetings are arranged, and the organization work is accomplished out of view of the public eye. Often the work is so efficiently carried out that when election day comes, the opposition is overwhelmed by the effective way in which the party workers respond. An interesting example of the "gum shoe" campaign was that of 1885, in which the Republicans lacked a majority of one vote in controlling the Illinois legislature on joint ballot. General John A. Logan was the Republican caucus nominee for the United States Senate and Colonel William R. Morrison, of horizontal tariff bill fame, was the Democratic candidate. One of the Democratic state senators died and the Republicans made no convention nomination to succeed him. However, the Republicans of the senatorial district had agreed upon a candidate. A small number of Democrats voted during the day and late in the afternoon the Republican strategy became manifest. Republicans were brought to the polls by the wagon and carriage loads and wrote in the name of the Republican agreed upon. It was too late for the Democrats to get out their normal vote. The Republican won, the party controlled the legislature, and General Logan went to the Senate for another term.

A "whirlwind" campaign is one in which the candidate is kept on the go throughout the campaign making a great number of speeches. Others discuss the issues from the standpoint of the candidate before he arrives, and when he leaves, his colleagues take up the speech making. If he is a candidate on a national ticket, he often speaks from the rear platform of his special train. Bryan covered 18,000 miles in his Presidential campaign in 1896, and Roosevelt, as a Vice Presidential candidate in 1900, traveled 21,000 miles.

The Republican Presidential campaign of 1896 became famous in history as one of the "front porch" variety. Major McKinley made most of his addresses from the front porch of his home at Canton, Ohio, to delegations brought from all sections of the country.² He was advised in advance what the chairman of the visiting delegation would have to say and had a suitable reply prepared. The Republican Presidential campaign of 1920, when it was considered better politics to permit the Democratic candidate to do most of the talking on the League of Nations, was along somewhat similar lines.

At times, a campaign for election begins immediately after the convention or primary of the party. Often, however, an intermission of a few weeks is arranged in order to make concessions to defeated factions and candidates and induce them to fall in line for the ticket. A candidate for the nomination generally begins his campaign when he officially announces his candidacy. In fact, at times, his friends have begun scouting for him and have prepared the way before he makes the formal announcement that he is in the race. Campaigns begun at too early a date may react to the disadvantage of persons entering them, as they give the opposition time to observe carefully the issues which the candidates are raising and the popular reactions to them. Often though, by an early announcement, a candidate keeps down possible opposition and perhaps has the field to himself.

Publicity.—Perhaps the best publicity of all, if not of an unfavorable or unfriendly character, is that which is contained in the newspapers and magazines. When such publicity is of the real news kind and is not in the form of advertisements, it is likely to be read by all who are interested in politics.

² Croly, Herbert, "Marcus Alonzo Hanna, His Life and Work," p. 214.

Even a newspaper which has critical editorials may be of considerable assistance to a party if its news stories are not written from a partisan angle. Friendly editorials are extremely helpful.

The national committees and a few of the state committees maintain permanent publicity bureaus which supply news letters for the party press, and others interested, at regular intervals throughout the year. All efficient organizations during campaign times have publicity services.

Newspaper advertisements are not as beneficial as news stories and editorials. The laws of a majority of the states require that they shall be designated as paid political advertisements and this detracts from their effectiveness. Often in campaigns a newspaper will print advertisements on behalf of candidates it is opposing and then reply in the editorial columns.

Billboard advertising is used effectively in both city and rural districts. Such advertising lends itself to the use of large type which is likely to attract the attention of voters. Even voters who do not buy newspapers are likely to read the billboards.

A popular kind of campaign literature used in national, senatorial, and congressional campaigns, is the speech made by a representative or senator in Congress or other material inserted in the Congressional Record. Such literature may be printed and placed in envelopes at cost by the Government Printing Office at Washington, with the frank of a representative or senator thereon, thus insuring its carriage through the mails without postage charge to the sender. This gives an incumbent representative or senator a decided advantage over an opponent who does not have the franking privilege. Many speeches are made in Congress primarily for home consumption. They may even discuss the issues of a particular locality or district and still be frankable. In many cases, under the rules of the Senate and House, matter is inserted without its being spoken or read and then, of course, it acquires the franking privilege. Often these speeches are circulated throughout the country if they touch on national issues. The franking privilege of members of Congress, used largely for political ends, is one of the causes of the annual postal deficit.

Other pamphlets and leaflets make their appearance during

VOTE YES
—ON—
WET REFERENDUM
—
WADSWORTH
A FAKE WET
VOTED FOR VOLSTEAD
—
VOTE FOR
SMITH AND WAGNER
—
VOTE EVERY

Poster Widely Distributed in New York City by the Democratic Organizations during the State Campaign of 1926.

campaigns. Cards are printed and passed to voters. Much of this literature is mailed, part of it is left at residences and places of business, and some is distributed at political meetings.

Text books.—An effective form of campaign literature which has made its appearance in recent years is the text book, compiled and published by the committee in charge of the campaign and distributed gratis to party workers or sold for a nominal sum to assist in defraying the costs of preparation and printing. Each of the major parties issues a text book in Presidential election years. Contained therein are the platforms, speeches of acceptance of the national candidates, statistics concerning party records, and other information which may have bearing on the campaign. In the off years, the Congressional committees also issue text books. The earlier Democratic Congressional texts were collections of speeches of members of Congress, making the entire document frankable. Often the state committees of the larger states and occasionally local committees issue these texts.

Text books are of great value to party speakers and publicity directors who may secure from them essential facts concerning the principal issues of the campaign.

Schools for workers and speakers.—In recent years the party committees in some of the larger cities have established schools for the training of campaign speakers and workers. The schools for workers have been adopted particularly for women partisans who thus are acquainted with the campaign issues and informed how they may be of service.

Individual solicitation.—Much of the work of electioneering is in the form of individual solicitation which may be by talking to each voter on the street or elsewhere. In many small counties, voters expect to be solicited by substantially all of the local candidates during a campaign. They may be reached at their offices and factories, and housewives may be reached in their homes. Since the advent of woman's suffrage, a large amount of the ringing of door bells is done by candidates and workers during the day, when the mistress of the house may be seen and informed as to the issues of the campaign. Often it is advantageous for a candidate if an employer will introduce him to his employees, but it becomes disadvantageous if the employer's interest in the candidate is so great that it leads to attempted intimidation of his employees. This is prohibited by law. Effective campaign appeals are frequently made at outdoor meetings during the factory noon hour when a candidate will be introduced by a

popular worker. Individual solicitation is the most effective. The voter likes to meet the candidate or the party worker and feel the importance of having his vote and influence solicited.

Local work.—A party may have the better of the argument, it may have the sympathy of a large majority of the community, but if it does not have a capable organization to get out the vote it loses. The principal part of a campaign must be done locally. The national, state, or district organi-

In order to vote on Election Day and in the Presidential Primary
You **MUST ENROLL** This Week.



Members of State Committee
FRANK KENNA
CATHERINE HAHN

REPUBLICAN COMMITTEE
First Assembly District
31-27 41st STREET
Long Island City

(OVER)

REGISTRATION WEEK

Monday to Friday, Oct. 10, 11, 12, 13, 14

Hours 5 P. M.-10:30 P. M.

Saturday, Oct. 15—7 A. M.-10:30 P. M.

POLLING PLACE

DISTRICT CAPTAINS

(OVER)

Card left at residences in Queens County, New York, by Republican workers, in order to Secure a Large Party Registration for the 1927 Campaign.

zations cannot get the voters to the polls. The first essential is for an accurate poll to be made of all of the voters of each precinct. This should be undertaken by a resident of the precinct. Especially should the person making the poll diligently inquire as to the politics of new residents of the precinct. It is also helpful if any other facts concerning the prospective worker, such as occupation or interests, be noted in the poll book so that effective literature may be sent or other influence brought to bear. The poll should be completed before the time prescribed by law for individuals to register in states where compulsory personal registration is a prerequisite for voting. Then the party organization should delegate a worker to call on each person of its own political faith and urge registration. The organization should then write letters mailed for delivery on registration morning, urging compliance with this legal formality. A list of persons registering should be made and before the registration period is over, all of those who have not appeared at the polls and entered their names should be solicited by party workers. In this way a fairly complete registration may be secured. The information in the poll book also is useful in affording information as to insufficient residence of persons of the other party who may present themselves for registration. Each party has challengers both on registration and election days to object to the registration or voting of persons not legally qualified. On election day, party workers carefully check off the list of their voters in the precinct and send messengers or telephone calls to get those who have not voted in the morning to the polls. Where compulsory registration is not required by law, and voters may be "sworn in" whose names are not on the lists, there is more work on election day. A larger registration and vote is to be expected in Presidential than in other years, although local issues in a municipal campaign will often bring out a record number.

Predictions and bets.—Predictions of candidates and their managers as to the election results mean but little. It is a rarity that a candidate wins by as large a plurality as his manager claims. Claims of such unexpected proportions are made that even when a "land slide" comes it is not greater than the predictions by party officials. It is interesting to note during a campaign the claims of party managers and the rarity

with which they are realized. Conservative persons often may form a fairly close estimate by subtracting the difference between the two pluralities claimed, and then using the resulting figure as a probable plurality of the party making the greater claim. This, however, is not a safe way of judging an election. Friendly newspapers at times allow their writers to make extravagant claims of success. Still others who have talked to party workers may give fairly accurate judgments. There are certain newspaper writers who have learned never to attempt to predict the outcome of either of two things, the verdict of a jury or the result of an election.

Bets at times are placed and published for the purpose of arousing enthusiasm and influencing the result. Wall Street betting odds have not always favored the winner. Hughes had the benefit of the odds over Wilson all through the Presidential campaign of 1916, and in the New York senatorial elections of 1922 and 1926, those giving the odds lost.

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Questions

1. Along what lines may campaign appeals be made?
2. Is the percentage of appeals made to the intellect relatively high?
3. In what phase of politics does the demagogue work most effectively?
4. Which party ordinarily suffers the most from defections in a campaign, the one normally in the majority or in the minority?
5. Are appeals along racial lines important?
6. What appeals may be made along occupational lines?
7. What is the value of slogans?
8. From what sources do campaign issues arise?
9. Is it good politics to wage a campaign on one issue in one section and another in another?
10. Which party ordinarily takes the offensive in a campaign?
11. How may the mails be used in campaigns?
12. Are qualified speakers generally available for all sections?
13. Are outdoor meetings advantageous?
14. Are joint debates popular in American politics?
15. What is meant by heckling?
16. What parties often are held for the entertainment of the voters?
17. What is meant by the "hoop-la" campaign?
18. What is a "gum shoe" campaign?
19. What is a "whirlwind" campaign?
20. What is a "front porch" campaign?
21. When does a campaign for election begin?
22. What is the best publicity as a rule?
23. Are advertisements helpful?
24. Why is billboard advertising effective?
25. Why are speeches in Congress and matter printed in the Congressional Record valuable for campaign purposes?
26. How are voters reached by individual solicitation?
27. What is meant by the taking of a poll?
28. What is the purpose of the poll?
29. How is the poll used on election day?
30. Are election predictions by candidates and their managers accurate?
31. What are text books?
32. What kinds of schools have been established recently by committees?

CHAPTER XVIII

PARTY FINANCE

National campaign funds.—When James Buchanan was elected President in 1856, the Democratic National Committee was able to conduct his successful campaign with expenditures of less than \$25,000, and four years later Abraham Lincoln became the first President elected by the newly formed Republican party with expenditures by the Republican National Committee slightly in excess of \$100,000,¹ four times as much as his predecessor had expended, but only a drop in the bucket as compared with the election expenditures of recent years.

Marcus A. Hanna, as chairman of the Republican National Committee in 1896, probably set a record as a collector of campaign funds in behalf of William McKinley, Jr., that never again will be equalled in American political history in many respects. The most conservative estimate of the Republican expenditures of that memorable free silver campaign is a little less than \$3,500,000.² The more general estimate has been about \$7,000,000;³ while some have placed the amount as high as \$12,000,000.⁴ Probably in no campaign in the history of the country could the money have been used more effectively than that year. William Jennings Bryan, the "Boy Orator of the Platte," was making his first Presidential campaign, touring the country, drawing the largest crowds that ever have heard a candidate, by the magic of his oratory.

¹ Perry Belmont, "Publicity of Election Expenditures," in *North American Review*, (1905) vol. clxxx, p. 166.

² Herbert Croly, "Marcus Alonzo Hanna, His Life and Work," (New York, 1919) p. 220.

³ Rolla Ogden, "New Powers of the National Committee," in *Atlantic Monthly*, (1909) vol. lxxxix, p. 79.

⁴ Herbert Croly, "Marcus Alonzo Hanna, His Life and Work," (New York, 1919) p. 220.

Polls taken in August and September indicated that the Democratic candidate would carry California, Iowa, Minnesota, and some of the other Middle Western states. Hanna thought that had the election been held at that time Bryan would have won. Hanna then went to New York with the intention of collecting enough campaign funds to turn the tide the other way. In company with James J. Hill, the railway magnate, he called on the larger offices in Wall Street and secured enough money for the immediate needs of the campaign. He then set to work to raise money in the most systematic manner, perhaps, that ever has been attempted in politics. Believing that Republican success was essential to national prosperity, Hanna appealed to individuals, without regard to their politics, and the principal corporations of the country. Banks were assessed at the rate of one-fourth of one per cent of their total capital, and for the most part they responded with the contributions expected of them. The large life insurance corporations were liberal contributors and the Standard Oil Company topped the list with \$250,000.⁵ This was before the passage of legislation, aimed particularly at campaign funds like the one Hanna raised, prohibiting contributions from corporations. Herbert Croly, partial biographer of Hanna, who probably estimates lower than is justified, gives the expenditures that year as including \$1,970,000 sent to the Chicago headquarters of the party, \$13,000 expended in salaries for the staff, \$472,000 for printing, \$32,000 for salaries and other expenses, \$140,000 for the bureau of speakers, \$80,000 for the shipping department, \$276,000 for local and special organizations, and \$903,000 to the state committees.⁶ Most of the money was raised in New York, but Chicago contributed a fair amount.⁷ Hanna organized an army of 1,400 campaign speakers, paying their expenses and fees for each meeting addressed.⁸ As reports would come in to headquarters that Bryan was strong in a particular state which the Republicans hoped to carry, speakers, literature, and money would be sent there. Trains brought Republican and doubtful voters from far and wide to Canton, Ohio, most

⁵ *Ibid.*, pp. 219, 220.

⁶ *Ibid.*, p. 221.

⁷ *Ibid.*, p. 220.

⁸ *Ibid.*, p. 217.

of them at the expense of the national committee, to hear McKinley in his front porch campaign. He finished the campaign with his committee out of debt although four years previously the Republicans had expended \$1,500,000 in their unsuccessful attempt to re-elect Harrison and still were several hundred thousand dollars in arrears.⁹ In 1900, Hanna again was national Republican chairman, and he said then that since the country was prosperous the contributions should be twice as large.¹⁰ However, the Republican campaign fund that year was much smaller, perhaps not more than \$2,500,-000, as Republican victory always seemed certain.¹¹

In 1904, the Republican National Committee is said to have expended \$2,096,000, the Democratic, \$700,000; in 1908, the Republican, \$1,035,000, the Democratic, \$619,000; in 1912, the Democrats led with expenditures of \$1,134,000, the Republicans were next with \$1,071,000, and the Progressives third with \$670,000.¹² In 1916, during the hotly contested Wilson-Hughes campaign, with the possible exception of the Republican fund of 1896 alone, the Republicans set a new high mark in expenditures, the national committee having spent \$6,022,678 in support of the Republican nominee; while their opponents expended \$1,958,508, this being the first time since the days of large campaign funds that the winners expended a smaller amount than the losers.¹³

In 1920, a sub-committee of the Senate Committee on Privileges and Elections, headed by Senator William S. Kenyon of Iowa, made a very illuminating investigation of the campaign expenditures of that year.¹⁴ The total expenditures as traced by that committee follow:¹⁵

Republican National Committee	\$5,319,729.32
Democratic National Committee	1,318,274.02
Total	\$6,638,003.34

⁹ Ibid., p. 220.
¹⁰ Ogden, op. cit., p. 79.
¹¹ Croly, op. cit., p. 323.
¹² Ibid., p. 334.
¹³ Merriam, op. cit., p. 334.
¹⁴ Report No. 823, Senate, 66th Congress, 3d Session, pursuant to Senate Resolution No. 357.
¹⁵ Ibid., p. 5.

Republican Congressional Committee	\$375,969.05
Democratic Congressional Committee	24,498.05
Total	\$400,467.10
Republican Senatorial Committee	326,980.29
Bureau of Senatorial Elections of Democratic National Committee	6,675.00
Total	\$333,655.29
Grand total	\$7,372,125.73

The Republican Senatorial Committee sent the following amounts into the respective states in behalf of the party candidates for the Senate:¹⁶

Arizona	\$23,000	New Hampshire	\$5,500
California	6,500	New York	4,000
Colorado	13,000	North Carolina	2,500
Idaho	13,000	Ohio	8,000
Indiana	10,000	Oklahoma	15,500
Iowa	5,000	Oregon	15,450
Kansas	3,000	South Dakota	5,000
Kentucky	3,000	Utah	12,000
Maine	1,000	Virginia	500
Maryland	8,000	Washington	7,725
Missouri	10,000	Wisconsin	10,000
Nevada	17,000		

The Kenyon committee also compiled a table of the aggregate receipts of the Republican and Democratic state central committees as follows:¹⁷

<i>State</i>	<i>Republican</i>	<i>Democratic</i>
Alabama	\$115.00	\$5,000.00
Arizona	38,366.28	15,482.50
Arkansas	193.75	None
California	35,000.00	.....
Colorado	99,626.99	10,346.00
Connecticut	66,596.58	39,699.40
Delaware	46,258.65	17,964.54
District of Columbia	8,804.00	7,843.82
Florida	2,369.50	None
Georgia	None	None
Idaho	25,970.95	4,260.00
Illinois	42,634.07	9,925.00
Indiana	215,938.15	74,692.66
Iowa	13,138.54	14,174.99
Kansas .....	.....	13,587.64
Kentucky	59,182.45	62,930.23
Louisiana	1,022.50	None

¹⁶ Ibid., p. 5.

¹⁷ Ibid., p. 7, to which is added the Utah Democratic expenditures.

<i>State</i>	<i>Republican</i>	<i>Democratic</i>
Maine	\$15,055.36	\$6,537.76
Maryland	50,577.00	57,889.63
Massachusetts	133,658.31	25,335.21
Michigan	4,848.50	24,478.79
Minnesota	9,993.26	6,736.08
Mississippi	700.00	None
Missouri	23,884.80	56,901.69
Montana	35,060.27	6,508.50
Nebraska	11,155.19	10,752.92
Nevada	3,753.45	11,485.00
New Hampshire	24,653.66	11,121.41
New Jersey	None	10,745.00
New Mexico	23,189.32	15,858.73
New York	479,699.19	63,373.00
North Carolina	4,880.18	16,418.95
North Dakota	3,835.43	2,000.00
Ohio	74,373.90	58,815.00
Oklahoma	55,663.68	63,575.45
Oregon	8,205.24	12,633.28
Pennsylvania	139,613.25	58,512.08
Rhode Island	25,000.00	9,552.00
South Carolina	706.00	500.00
South Dakota	8,948.51	6,706.00
Tennessee .....	.....	17,932.16
Texas	25,148.95	2,668.75
Utah	10,475.00	11,210.55
Vermont	2,192.00	686.41
Virginia	925.00	2,596.00
Washington	116,537.45	18,476.00
West Virginia	84,872.31	25,803.06
Wisconsin	None	7,818.00
Wyoming	45,237.93	.....
Total	\$2,078,060.55	\$899,534.64

This makes total expenditures of the Republican national, senatorial, Congressional, and state committees of \$6,100,-739.21 and of similar committees in the Democratic party of \$2,248,981.26, a grand total of \$8,349,702.47, with four state committees missing, and this sum would not represent the total expenditures of the campaign. Funds that might have been used improperly by any of the committees or other individuals supporting the national, state, and Congressional tickets would not be included. In addition, there is no record of the receipts and disbursements of the county and various district committees. Perhaps a fair estimate would be that these local committees spent as much as the national, senatorial, Congressional, and state committees combined. Adding the above sums and the possible expenditures by local com-

mittees and money spent in contravention of the corrupt practices laws and statutes against bribery, it would seem conservative to state that the total expenses of the election campaign of a Presidential year are somewhere between \$15,-000,000 and \$20,000,000 and perhaps even higher.

The Kenyon committee also traced the pre-convention expenditures of candidates for the 1920 nomination in both parties with the following results:¹⁸

Dr. Nicholas Murray Butler, Republican.....	\$40,550
Governor Calvin Coolidge, Republican.....	68,375
Governor James M. Cox, Democrat.....	22,000
Governor Edward I. Edwards, Democrat.....	12,900
Senator Joseph Irwin France, Republican.....	None
James W. Gerard, Democrat.....	14,040
Senator Warren G. Harding, Republican.....	113,109
Senator Gilbert M. Hitchcock, Democrat.....	3,337
Herbert C. Hoover, Republican.....	173,542
Senator Hiram W. Johnson, Republican.....	194,393
Governor Frank O. Lowden, Republican.....	414,984
William G. McAdoo, Democrat.....	None
Senator Robert L. Owen, Democrat.....	8,595
Attorney-General A. Mitchell Palmer, Democrat.....	59,610
Senator Miles Poindexter, Republican.....	77,150
Senator Howard Sutherland, Republican.....	4,145
General Leonard Wood, Republican.....	1,773,303
Total	\$2,980,033

During the campaign of 1924, an investigation similar to the one made by the Kenyon committee was undertaken by a Senate committee headed by Senator William E. Borah, of Idaho.¹⁹ This committee reported on all of the contributions of \$1,000 or more to the Republican, Democratic, and Progressive (LaFollette) national committees that year. The highest individual contribution to the Republican and Democratic campaign funds was \$50,000, and to the Progressive, \$28,000.²⁰ Doubtless receipts of as low as \$1 each were obtained by the committees from interested partisans. According to the committee report, the Republican National Committee collected during and for the use of the Presidential campaign that year, \$4,360,478.82, of which it expended

¹⁸ *Ibid.*, p. 3.

¹⁹ Committees will likely be appointed to investigate expenditures of Presidential campaigns.

²⁰ *Report No. 1100, Senate, 68th Congress, 2d Session*, pursuant to Senate Resolution No. 248, pp. 21, 24.

\$4,270,469.01, returning to the states, \$573,599.20.²¹ The Progressive organization collected \$221,837.21 and expended \$221,997.58. The national Democratic organization collected \$821,037.05, returned considerable to the states, and ended the campaign greatly in debt. Often the debt of a campaign is not cleared for months. The Democratic committee was so much in arrears in this campaign that two and a half years later it was \$208,492 in debt, the obligations increasing with the current expenses of maintaining national headquarters in Washington.²²

The Borah committee ascertained information as to the amount collected and expended by most of the state organizations of the three parties. This follows:²³

REPUBLICAN PARTY

<i>State</i>	<i>Amount collected</i>	<i>Amount expended</i>	<i>Amount received from national committee</i>	<i>Amount sent to national committee</i>
Alabama	\$12,899.60	\$11,989.93	None	\$7,500.00
Arkansas	21,591.96	17,868.82	None	8,500.00
California	15,756.29	11,009.46	None	None
Colorado	96,731.45	92,869.87	None	None
Connecticut	152,488.32	117,928.80	None	20,000.00
Delaware	54,457.37	54,276.79	None	None
Florida	16,872.26	959.47	\$850.00	\$,436.13
Georgia	5,699.28	5,668.15	None	None
Illinois	3,000.00	23,000.00	20,000.00	None
Indiana	194,920.93	188,188.55	None	None
Iowa	13,336.10	56,654.95	41,432.40	None
Kansas	21,171.00	27,749.15	7,347.19	None
Kentucky	60,634.12	76,303.92	40,000.00	None
Louisiana	38,144.95	3,681.65	None	34,463.30
Maine	53,280.36	46,055.34	None	5,000.00
Maryland	17,745.50	58,654.01	41,438.00	None
Massachusetts	173,578.18	168,301.82	None	None
Minnesota	4,872.00	9,357.07	4,500.00	None
Mississippi	127.00	124.68	None	None
Missouri	24,343.44	104,474.16	83,602.50	None
Montana	24,265.00	24,265.00	None	None
Nebraska	10,480.55	68,994.03	60,905.50	None
Nevada	860.00	10,454.81	12,500.00	None

²¹ *Ibid.*, p. 2.

²² *New York Herald Tribune* of March 31, 1927.

²³ *Report No. 1100, Senate, 68th Congress, 2d Session*, pursuant to Senate Resolution No. 248, pp. 25, 26.

PARTY FINANCE

273

<i>State</i>	<i>Amount collected</i>	<i>Amount expended</i>	<i>Amount received from national committee</i>	<i>Amount sent to national committee</i>
New Hampshire ..	\$22,983.58	\$20,529.32	None	None
New Jersey	79,416.69	79,416.69	None	None
New Mexico .....	.....	.....	25,000.00	None
New York	188,560.00	401,930.37	220,000.00	None
North Carolina ...	8,132.50	8,132.50	None	None
North Dakota	None	19,054.81	19,054.81	None
Ohio	77,998.49	147,698.28	None	None
Oklahoma	72,116.85	73,116.85	None	None
Oregon	47,072.00	42,727.41	None	12,500.00
Pennsylvania	191,667.21	175,347.56	None	.....
Rhode Island	69,759.10	69,759.10	None	None
South Carolina ...	.....	.....	None	2,650.00
Texas	23,498.68	23,211.38	None	None
Utah	22,318.30	17,384.03	5,000.00	None
Vermont	25.00	5,797.88	13,500.00	None
Virginia	28,380.00	9,649.56	10,000.00	27,780.00
Washington	48,333.90	46,101.11	10,000.00	10,000.00
West Virginia	2,232.70	1,193.33	None	None
Wyoming	25,265.85	37,434.82	15,000.00	None
Total	\$1,925,016.51	\$2,356,715.43	\$630,130.40	\$136,829.43

DEMOCRATIC PARTY

<i>State</i>	<i>Amount collected</i>	<i>Amount expended</i>	<i>Amount received from national committee</i>	<i>Amount sent to national committee</i>
Alabama	\$369.50	\$369.50	None	None
Arizona	15,802.11	21,897.14	\$5,000.00	None
Colorado	17,848.15	33,559.63	15,598.38	None
Delaware	4,425.00	8,771.94	4,000.00	None
Florida	726.70	200.00	None	\$100.00
Idaho	9,416.50	9,417.48	None	None
Iowa	6,500.00	6,271.00	None	None
Kansas	21,975.48	25,000.00	5,000.00	None
Kentucky	27,546.53	31,802.55	2,500.00	None
Maine	10,924.82	14,638.65	3,000.00	None
Maryland	25,381.84	25,099.27	.....	None
Michigan	6,215.80	36,392.87	.....	None
Minnesota	5,208.00	5,640.75	None	None
Mississippi	1,556.15	1,556.15	None	1,456.19
Missouri	53,993.15	52,826.65	None	None
Nebraska	9,154.50	14,610.00	8,500.00	None
Nevada	2,932.00	10,329.83	7,500.00	None
New Hampshire ...	12,810.75	12,186.69	None	None
New Jersey	29,060.00	29,674.88	None	None
New Mexico	14,385.17	16,852.21	2,500.00	None
New York	58,062.00	48,595.37	None	None

274 PARTY PRINCIPLES AND PRACTICAL POLITICS

<i>State</i>	<i>Amount collected</i>	<i>Amount expended</i>	<i>Amount received from national committee</i>	<i>Amount sent to national committee</i>
North Carolina ...	\$27,197.40	\$6,829.95	None	None
Ohio	33,863.00	31,725.27	None	None
Oklahoma	25,460.99	30,660.99	5,000.00	None
Pennsylvania	16,897.87	16,897.87	None	None
Rhode Island	8,500.00	13,500.00	5,000.00	None
South Carolina ...	500.00	None	None	500.00
South Dakota	3,404.50	5,703.84	2,500.00	None
Texas	5,501.05	1,609.98	None	100.00
Utah	6,918.72	9,189.27	1,000.00	None
Vermont	490.00	None	None	490.00
Washington	3,301.32	3,134.93	None	None
West Virginia	28,556.98	27,973.33	None	None
Wisconsin	3,780.50	3,740.81	None	None
Wyoming	7,287.30	7,364.50	None	None
Total	\$505,953.78	\$564,023.30	\$67,098.38	\$2,646.19

PROGRESSIVE PARTY

<i>State</i>	<i>Amount collected</i>	<i>Amount expended</i>	<i>Amount received from national committee</i>	<i>Amount sent to national committee</i>
Arkansas	\$561.90	\$631.90	None	None
California	22,615.60	28,324.93	\$300.00	None
Colorado	3,469.47	3,465.70	None	None
Connecticut	3,525.00	4,525.00	1,000.00	None
Florida	520.00	1,020.00	500.00	None
Georgia	2,180.70	2,180.70	None	None
Idaho	3,459.22	3,459.22	None	None
Illinois	43,467.03	50,131.52	1,000.00	None
Indiana	5,806.66	5,698.43	None	None
Iowa	14,730.77	15,975.95	None	\$1,034.57
Kansas	2,356.25	3,414.42	None	None
Kentucky	868.90	868.90	None	None
Louisiana	1,268.10	1,268.10	None	None
Maine	195.00	183.18	None	None
Massachusetts	11,903.63	10,829.37	None	1,594.00
Michigan .....	.....	.....	.....	750.00
Minnesota	20,872.57	20,578.04	1,000.00	None
Missouri	18,390.99	18,390.99	.....	500.00
Montana	2,766.80	2,997.99	None	None
Nebraska	981.48	1,081.48	None	None
Nevada	1,780.31	1,702.29	None	None
New Mexico	381.00	431.59	150.00	None
New York	15,987.99	17,693.53	2,000.00	None
North Carolina ...	532.40	777.31	.....	250.00
North Dakota	3,908.78	3,551.71	None	None

<i>State</i>	<i>Amount collected</i>	<i>Amount expended</i>	<i>Amount received from national committee</i>	<i>Amount sent to national committee</i>
Ohio	\$6,253.63	\$6,170.36	None	None
Oklahoma	1,302.51	1,270.49	None	None
Oregon	4,907.58	4,880.95	None	None
Pennsylvania	10,491.07	10,268.70	None	None
South Carolina	254.99	594.51	350.00	None
South Dakota	2,419.04	2,491.30	None	1,081.72
Tennessee	1,582.55	1,583.38	None	None
Texas	1,352.17	1,476.00	None	None
Utah	1,557.45	1,576.19	None	None
Vermont	94.75	91.41	None	None
Virginia	86.10	254.09	100.00	None
West Virginia	459.57	560.07	None	None
Wisconsin	1,260.21	2,587.71	1,327.50	None
Wyoming	2,534.86	2,925.97	None	None
Total	\$217,087.83	\$235,913.38	\$7,272.50	\$5,210.12

The total expenditures in the campaign of the Republican national and state committees, so far as reported, were \$6,717,194.25, of the Democratic committees, \$1,467,931.51, and of the Progressive, \$457,890.96, a grand total of \$8,643,016.72, slightly higher than the total expenditures of 1920. This does not include district and local expenditures and money illegitimately used, which, if reported, would bring the total to a much larger amount.

The Borah committee reported the national offices expenditures of the parties to be:²⁴

REPUBLICAN

Chicago Office

Salaries and expenses.....	\$137,525.01
Traveling expenses	247,710.75
Telephone, telegraph, and radio	50,564.85
News service	62,999.19
Office expenses, including rent, postage, lithographs, office supplies, fixtures, miscellaneous	162,488.86
Buttons	42,215.14
Refunds to states	423,384.20
Notes payable	249,750.00
Advances to Congressional and senatorial committees..	254,000.00
Avances to states	686,863.30
Advertising	218,383.56
Miscellaneous	657,077.66

²⁴ Ibid., pp. 33, 34.

New York Office

Traveling expenses	\$85,195.56
Salaries, pay roll, expenses	159,574.29
Telephone, telegraph, and radio	16,661.28
Miscellaneous office supplies	164,149.35
Refunds to states	122,650.25
Contribution to committee chairmen	221,404.25
Compensation and petty cash	39,087.79
Miscellaneous	268,783.72

DEMOCRATIC

New York Office

Advances to states	\$151,925.23
On account	143,960.88
Salaries and pay roll	77,641.20
Travel	41,420.06
Postage	7,882.93
Telephone and telegraph	1,757.69
Office expenses, including supplies, signs, multigraphing, stationery, photos, emblems, flags, buttons	69,436.80
Miscellaneous	139,428.20

Washington Office

Salaries and pay roll	\$87,651.16
Traveling	20,156.27
Postage	43,553.63
Advertising and printing	3,034.16
Speaking expense	17,642.24
Miscellaneous	44,267.76

Chicago Office

Salaries and pay roll	\$20,906.86
Traveling	2,787.39
Postage	868.52
Telephone and telegrams	585.21
Advertising and printing	6,466.61
Miscellaneous	22,535.41

PROGRESSIVE

Chicago Office

Salaries	\$20,113.59
Traveling	22,002.80
Printing	21,163.02
Postage and freight	5,017.56
Office expense	6,283.03
Publicity	18,913.33
Miscellaneous	108.60

Washington Office

Advance to Chicago	\$16,500.00
Bronze medallions	26,591.70
Stenographic and clerk hire	5,104.70
Advance to states	3,200.00
Southern and labor division	12,000.00
Printing and office supplies	44,665.14
Miscellaneous	20,314.11

Expenditures of 1926.—An interesting contribution to the general knowledge of campaign expenditures was made by a special committee of the United States Senate headed by Senator James A. Reed, of Missouri, which investigated, among other states, expenditures in 1926 in Pennsylvania and Illinois. If the Senate persists in its refusal to exclude from its membership beneficiaries of those funds, it will set a precedent of great importance, since none of the money shown by the committee to have been expended was for illegal objects, and there is no Federal legislation covering expenditures in primaries. The Reed committee found that the Republican primary ticket in Pennsylvania, headed by Pepper for senator and Fisher for governor (excluding expenditures solely for Fisher), had expended in its behalf, \$1,804,979.²⁵ Secretary of the Treasury Andrew W. Mellon contributed \$25,000 of this amount, and his brother and nephew each similar amounts. Joseph R. Grundy, president of the Pennsylvania Manufacturers' Association, placed over \$400,000 at the disposal of the committee. Expenditures in behalf of the ticket headed by Vare for senator and Beidleman for governor (excluding expenditures solely for Beidleman) amounted to \$785,934.²⁶ The Pinchot-for-senator forces spent \$187,029, contributed largely by the candidate and relatives.²⁷ Senator Reed charged that not more than half of the actual expenditures of the primary aspirants were uncovered by his committee. An interesting phase of the testimony was the evidence that large sums were expended for "watchers" in Allegheny and Philadelphia counties. These watchers discharged their duties in most cases, apparently, when they voted. The Pepper-Fisher committee expended over \$85,000 for watchers for primary day, employing 17,000 of them in Allegheny County alone.²⁸ In Philadelphia, \$100,000 was paid to Vare-Beidleman watchers. Contributions to these funds were made in some cases by supporters of the contending factions, according to the testimony, in amounts several times their annual incomes. The Pennsylvania Republican primary of 1926 thus

²⁵ Part 2, *Report No. 1197, Senate, 69th Congress, 2d Session*, pursuant to Senate Resolution No. 195, p. 6.

²⁶ *Ibid.*, p. 13.

²⁷ *Ibid.*, p. 5.

²⁸ *Ibid.*, p. 30.

reaches the high water mark for expenditures in a state campaign.

In the Republican contest in Illinois for the senatorial nomination in 1926, the Reed committee ascertained that about \$514,143 was expended in behalf of Senator William B. McKinley,²⁹ defeated for renomination by Frank L. Smith, in whose behalf about \$458,782 was expended.³⁰ Part of this money was not contributed directly to the McKinley and Smith campaign funds but was used by Cook county organizations supporting their candidacies. Of the contributions to the Smith fund, \$206,735 was given by men having large public utility interests in Illinois, with cases before the state public utilities commission of which Smith was chairman during the campaign. The principal contributor to the Smith fund also gave \$15,000 to the leading contender for the Democratic nomination, apparently with the idea of having his public utilities under proper political safeguards.³¹

During the second session of the Sixty-ninth Congress, the Senate refused to approve the credentials of Vare and Smith for the next Senate, making it seem unlikely that they will be seated in the Seventieth. In the meantime, Senator McKinley died and Smith was appointed to fill the vacancy for the unexpired term, as provided by the Seventeenth Amendment to the Constitution and the Illinois statutes. He presented himself in the Senate to take the oath of office, but his credentials were referred to the committee on privileges and elections, the Senate maintaining that he was morally unfit to take the oath because his campaign was financed largely by the utility interests. The only other times when senators-elect, eligible under the Constitution, have been refused seats to which they were chosen, were in the Reconstruction days following the Civil War, when partisanship ran high against the Democrats of the South, who but recently had been in rebellion.

Campaign expenditures in the New York counties in 1926 may be taken as somewhat typical of counties of their respective sizes throughout the country. The county committees,

²⁹ Part 1, *Report No. 1197, Senate, 69th Congress, 2d Session*, pursuant to Senate Resolution No. 195, p. 3.

³⁰ *Ibid.*, p. 5.

³¹ *Ibid.*, p. 8.

according to statements on file in the office of the secretary of state at Albany, expended the following amounts:

<i>County</i>	<i>Democratic</i>	<i>Republican</i>	<i>County</i>	<i>Democratic</i>	<i>Republican</i>
Albany	\$52,948.23	\$19,128.79	Oneida	\$10,622.82	\$13,069.13
Allegany	missing	2,313.00	Onondaga	14,762.49	70,360.31
Bronx	34,904.89	18,494.52	Ontario	620.00	5,554.67
Broome	4,820.47	7,378.53	Orange	1,230.00	10,003.12
Cattaraugus ..	993.04	2,431.83	Orleans	missing	2,749.45
Cayuga	1,628.22	7,874.48	Oswego	2,038.81	8,097.77
Chautauqua ..	1,300.00	4,705.22	Otsego	118.51	4,475.00
Chemung	3,226.82	6,084.74	Putnam	653.30	1,075.00
Chenango	327.90	1,965.73	Queens	91,546.07	24,357.24
Clinton	2,260.00	3,780.00	Rensselaer ...	17,970.00	29,333.20
Columbia	3,005.00	3,903.60	Richmond	7,565.90	3,482.75
Cortland	521.34	2,107.77	Rockland	4,319.85	4,303.00
Delaware	1,062.31	3,536.30	St. Lawrence..	2,093.35	11,252.06
Dutchess	4,429.00	7,483.40	Saratoga	2,425.26	5,570.50
Erie	42,335.36	56,386.61	Schenectady ..	7,276.73	12,004.17
Essex	205.36	2,675.00	Schoharie	349.78	2,250.00
Franklin	819.15	5,387.80	Schuyler	1,368.53	1,864.05
Fulton	1,189.50	7,981.00	Seneca	750.00	2,571.19
Genesee	446.84	2,577.80	Steuben	856.86	5,555.88
Greene	none	3,400.00	Suffolk	4,044.55	16,872.20
Hamilton	150.00	missing	Sullivan	700.00	3,618.00
Herkimer	1,717.60	4,124.59	Tioga	1,377.15	2,806.08
Jefferson	2,863.67	7,321.10	Tompkins	2,016.51	2,832.93
Kings	79,882.77	47,515.24	Ulster	3,262.00	4,234.07
Lewis	877.05	2,723.75	Warren	missing	3,771.15
Livingston ...	550.00	2,666.49	Washington ..	1,150.00	3,018.32
Madison	310.00	2,196.10	Wayne	650.00	4,367.54
Monroe	10,372.58	58,511.85	Westchester ..	5,473.95	20,408.56
Montgomery .	1,709.10	4,691.50	Wyoming	743.74	2,111.47
Nassau	5,433.02	22,227.42	Yates	429.58	1,928.86
New York ...	221,550.91	60,927.27			
Niagara	1,550.00	5,079.98	Totals	\$647,805.87	\$671,479.08

There are six counties in New York which are normally Democratic: Albany, Bronx, Kings, New York, Queens, and Richmond. In all six of these counties, the Democrats expended larger sums than the Republicans. The other New York counties are all normally Republican, and in all but one of these, the Republican expenditures exceeded the Democratic. The sole exception was Republican Rockland, where the Democrats expended \$16.85 more than their opponents. These figures indicate the advantage the party in power has in the matter of campaign funds. Office holders will contribute large sums to perpetuate their control, and candidates who expect to be elected do not hesitate to give large sums. The

records indicated that in many of the hopelessly Republican up-state counties, the Democratic committees get substantially all of their funds from the Democratic State Committee and the Up-State Democratic Committee.

In many counties, a drive for contributions is made during the campaigns and yet a large part of that collected is not expended until after the election for purposes of maintaining the organization and aiding voters who need assistance. Illustrations may be found in Westchester County where the Republicans had receipts of \$52,066.43 and expended \$20,408.56, and in Bronx County, where the Democrats collected \$60,600.00 and spent but \$34,904.89.

The expenditures of the Queens County Democratic committee are illustrative of the purposes of these disbursements:

Postage stamps, stamped envelopes, addressing, etc.....	\$2,228.10
Advertising, newspapers, journals, and periodicals.....	6,664.10
Printing circulars, pamphlets, letters, lithographs, posters..	7,230.31
Rent of public meeting rooms, schools, camp chairs, etc....	442.00
Auto hire, distribution of literature, decoration of meeting rooms, transportation, truck hire, outdoor display signs, bill posters, buttons, etc.....	3,528.12
Hire of extra help, telephone operators, clerks, messengers, newspaper publicity agents, etc.....	12,995.50
Telephones and telegrams	331.42
Rent for offices, office supplies, campaign purposes.....	711.39
Furniture, stationery, water, mimeograph, supplies, towels, typewriters, etc.	115.50
Music, amplifiers for political meetings.....	317.00
Sample ballots	1,562.63
Watchers, workers, tabulators, messengers, etc.....	33,700.00
Queens County Colored Democracy for watchers, workers, etc.	1,100.00
To Corn Exchange Bank, Depository, account refund on checks	160.00
Liabilities, Democratic County Headquarters, for rent, salaries, telephones, supplies, etc.....	20,500.00
Total	<u>\$91,546.07</u>

In 1926, the Republican State Committee expended \$386,743.87, the Democratic State Committee, \$49,987.27, the Up-State Democratic Committee, \$11,200, the Socialist State Committee, \$4,899.81, the Socialist Labor State Committee, \$586.66, the Prohibition State Committee, \$4,006.24, the Ogden L. Mills (Republican nominee for governor) Campaign Committee, \$118,097, the Independent Republican Campaign

Committee for Franklin W. Cristman for United States Senator, \$25,410, the Citizens' Committee for Robert F. Wagner (Democratic candidate for United States senator), \$48,863.00, and the Citizens' Committee for the Re-election of Governor Alfred E. Smith (Democrat), \$160,416.00.³²

In Ohio, Senator Frank B. Willis, Republican candidate for re-election, expended \$24,230.26 and his unsuccessful Democratic opponent, former Senator Atlee Pomerene, \$18,186.71. The expenditures of the Republican and Democratic state committees of Ohio for the past several gubernatorial campaigns follow:

<i>Year</i>	<i>Republican</i>	<i>Democratic</i>	<i>Year</i>	<i>Republican</i>	<i>Democratic</i>
1914.....	\$30,000.00	\$51,166.32	1922.....	\$116,314.20	\$28,837.67
1916.....	372,351.98	56,106.82	1924.....	147,698.28	31,725.27
1918.....	43,799.29	44,698.27	1926.....	126,104.64	95,289.26
1920.....	360,547.22	69,925.54			

Expenditures of candidates for state offices in the Ohio campaign of 1926 were as follows: lieutenant-governor, Republican, \$3,173.17, Democrat, \$1,661.51; secretary of state, Republican, \$727.00, Democrat, \$754.95; and treasurer, Republican, \$2,238.00, Democrat, \$865.54.

Collection of funds.—The raising of funds is as essential for the proper prosecution of the campaign as the beating of the heart is for the functioning of the human body. With this end in view, every political committee has a treasurer and often a special finance committee of which the treasurer, or some other party worker who is particularly effective in making appeals for funds, may be chairman.

In one sense, the person who profits the most by the success of a campaign is the candidate himself, and it is upon him that the treasurer or finance chairman first calls for a contribution. This is not so true in a national contest, where the expense of the campaign is many times greater than the salary of the President, as in a state or local contest, and more true in a local than a state fight. In 1924, the only nominee of any of the national tickets who gave a substantial amount was John W. Davis, the Democratic Presidential candidate, who contributed \$5,000.³³ If any of the other candidates con-

³² "The World Almanac and Book of Facts," (1927) p. 843.

³³ *Report No. 1100, Senate, 68th Congress, 2d Session*, pursuant to Senate Resolution No. 248, p. 23.

tributed to their party funds, such gifts must have been for amounts of less than \$1,000 each, since the Borah committee report reveals no record of any. Members of the families of candidates also are interested to such an extent that contributions are often forthcoming from them. Often the scion of a well-to-do family will have his campaign for Congress, governor, United States senator or other office financed by proud relatives.

Office holders are expected to contribute heavily to campaigns. Sometimes their offices depend upon the election or re-election of a certain candidate and hence their financial interest in the outcome of a race is almost as great as his. Contributions are expected of persons who will profit by appointments to offices, in the event a certain candidate wins. One shining example of contributions of this character is in the principal appointments of ambassadors and ministers in our foreign service. The social obligations of entertainment of the members of the diplomatic set is such that it is virtually impossible for a person dependent alone upon the salary or the office to accept any of the major, or even most of the minor posts. The position in itself is one that brings great social prestige to the holder, as well as life in a national capital and entree to a circle the envy of many. Nearly all of the principal diplomatic posts are now filled by wealthy men. They are men who ordinarily have not been active candidates before the people for public office but have contributed to the campaign funds of the party when needed. During every national campaign for many years, the largest contributions have been made by members and former members of the diplomatic service and by those who received appointments thereto when their Presidential candidate was successful.

Federal and state laws and municipal ordinances, as a rule, prohibit public officials from soliciting campaign funds from employees of the civil service. Often there is no rule against these same employees giving if they are solicited by others not in the public service or if they voluntarily contribute.

In local campaigns, a systematic assessment often is made against hold-over officials, that is, those whose terms of office expire following some future election campaign. The Philadelphia Republican machine for many years made annual assessments against office holders according to their salaries.

Those receiving between \$600 and \$1199 paid 3 per cent; between \$1,199 and \$1,999, 4½ per cent; between \$1,999 and \$2,999, 6 per cent; between \$2,999 and \$5,999, 9 per cent; and those receiving \$6,000 or more, 12 per cent.³⁴ The unfortunate part of such annual assessments, some of which may be paid monthly, is that not all of the money actually reaches the campaign funds of the party, but may be pocketed by authorities high in the organization. In one small southern Illinois county, where the salaries of the county officials range from \$1,200 to \$2,500, the candidate for sheriff (the highest salaried office) donates \$500, and the other candidates \$200 each when they are up for election. The hold-over officials give \$100 each and if the party is so fortunate as to have the postmaster of the principal city from its ranks, the fund will receive \$500 from him if it is a Presidential year, or \$200 in an off year. With additional contributions from others interested, this gives a fine fund for a county in which there are less than 9,000 voters.

Party officials, who may not be aspirants for office either as candidates for election or appointment, frequently are among the heaviest contributors to campaign funds. They accept their party position as an honor and consider that they are "playing the great game of politics" and therefore should contribute their share toward the success of the party. When in power, the party officials expect to be consulted on questions of policy and patronage and they are willing to pay through contributions of such amounts as are expected of them, for the influence they have.

Large contributions may be expected from citizens who have particular interests to serve by the success of the party and its candidates. While Federal and state laws prohibit contributions from corporations, there is no statute against officers and stockholders making contributions as individuals. Since such contributions have not been prohibited by law, substantially as much money reaches the campaign coffers inspired by the same selfish motives as before corporations were placed in the forbidden class. In a national Republican campaign, it is to be expected that manufacturers who are beneficiaries of the party's protective tariff policy, and are consulted when

³⁴ Brooks, *op. cit.*, p. 339.

the schedules are framed in Congress, will donate to the cause. Likewise, importers, who find a high protective tariff detrimental to their business interests, are likely to feel little reticence in contributing to the Democratic fund. State legislatures control very largely the making of intra-state transportation rates and it is to be expected that stockholders and officials of railroads and interurban lines will see that gubernatorial and legislative candidates favorable to their interests have sufficient campaign funds. If both parties are favorable, both may receive contributions from the same sources. The liquor interests were generous contributors to parties and candidates committed against prohibition and often financed the "wet" side of the local option campaigns before the adoption of the Eighteenth Amendment to the Constitution.

Another group of contributors, from whom come the smallest contributions in amounts although probably not in numbers, are citizens interested as individuals in party principles, personalities of candidates or good government and who are willing to contribute to campaign funds in accordance with their means and their interest in public affairs. In this class are many who give \$1 each in Presidential campaigns and are proud to receive from the national headquarters of their party receipts with embossed pictures of the Presidential and Vice Presidential candidates and facsimile signatures of the national committee chairman, treasurer, and finance head, acknowledging the contribution with the amount indicated. It is considered "good politics" to have a campaign fund contributed to by a large number of people even though the amounts are small, for it stimulates interest and activity among the masses in behalf of the party cause. Parties maintain lists of individuals who will contribute if solicited and party newspapers often assist in raising campaign funds in this manner. The Memphis Commercial-Appeal in every Presidential campaign raises a substantial amount of money from Democrats of Tennessee and contiguous territory which is sent to national headquarters of the party.

Methods of national committees.—In 1924, the Republicans operated under a scheme of collections which netted them a surplus of \$355,264.55 and contributions from 90,000 persons. This was done through the appointment of a con-

tributors committee.³⁵ Several sub-committees were appointed from this committee. In New York, there were as many as fifty or sixty of these. Quotas were allotted to different states and the money so raised was given in part to the national committee and in part to the state committees. It was intended that contributors should not be solicited twice although this was no assurance that they would not be dunned by county and other local committees. No limit was placed upon the contribution of a single individual.

The 1924 plan of the Republicans was considered a great improvement over their elaborate organization of 1920. In 1920 it was intended to limit each individual to \$1,000 before the convention and \$1,000 afterwards for the campaign and a similar amount annually.³⁶ No restriction was placed upon the number of contributions from a single family. A general ways and means committee was appointed to supervise the fund solicitation and in as many states as favored the plan a similar state body, with a state chairman and woman vice chairman, and likewise in each county, a chairman and woman vice chairman. Then the plan was expected to operate, and in a measure did, as the Red Cross and Liberty Loan drives during the World War. The national committee engaged solicitors to seek contributions, and they received salaries for their efforts.³⁷ Having thus been compensated, they could not expect appointments to office after the election. These men were attached to the state organizations, but their appointments were made by the national committee treasurer.

During the period from December, 1918, to June, 1920, when the Republican National Committee was sponsoring a series of attacks on the Wilson administration in conjunction with the party leaders in Congress, \$1,365,896.40 was collected from 18,515 contributors, or an average contribution of \$99.13.³⁸

The Democratic National Committee was enabled to start its campaign of 1924 free from debt because the deficit of four years had been removed by the bonus put up to secure the

³⁵ James K. Pollock, Jr., "Party Campaign Funds," (1926), p. 77.

³⁶ "Kenyon Committee Hearings," vol. i, pp. 1202-1207.

³⁷ *Ibid.*, vol. ii, pp. 1879-1912.

³⁸ *Ibid.*, vol. i, p. 1103.

convention for New York. The Democrats made an appeal for funds, but were embarrassed throughout the campaign by the poor response, due in part to the seeming certainty of party defeat.

In 1916 and 1920, the Democrats created an intricate organization for seeking funds. It was particularly effective in 1916 when the Democrats raised their largest amount in the party's history, although they ended the campaign, as generally has been their custom, in arrears. The ability of the Republicans to raise more money in national campaigns is to be expected because of the stronger support of that party afforded from the business interests. The Democrats, in 1916, sought small amounts from many contributors. In order to wipe out the deficits following the campaigns of 1916 and 1918, they adopted a follow-up system of letters to party supporters throughout the country. In both 1916 and 1920, the Democrats created many divisions for the purpose of raising money and while the scheme reached many who responded, it was too large and expensive to be really profitable.³⁹ During the pre-convention period of the 1924 campaign, the national committee, in order to maintain its permanent headquarters at Washington, supervised the organization of Democratic victory clubs for the purpose of raising money. Each member was expected to contribute \$10. They were organized in many states and enabled the party to continue its propaganda from Washington.

The LaFollette Progressive party, in 1924, sought \$3,000,-000 at the beginning of the campaign with which to carry on its work.⁴⁰ Each worker, it was hoped, would contribute a day's wage. As a result, the committee raised \$225,936.50, less than one-tenth of the amount it sought. Several labor organizations which were supporting the ticket contributed. Foreign language newspapers aided, being permitted to keep one-half of the amount they raised as payment for the advertisements appealing for funds, which they published. One reason, perhaps, that third parties have not thrived better in this country, has been the difficulties encountered in raising adequate funds to place their claims before the people.

³⁹ *Ibid.*, vol. i, pp. 1544-1572.

⁴⁰ Pollock, *op. cit.*, p. 78.

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Questions

1. Did the national committees in the early years of their existence expend more money in campaigns than they do now?
2. Who set the record as a collector of campaign funds and when?
3. Which of the national committees of the major parties generally expends the most campaign funds?
4. What was the purpose of the Kenyon and Borah committees?
5. What are some of the purposes for which national committees expend money?
6. What were the charges made against William S. Vare?
7. What were the charges made against Frank L. Smith?
8. Taking the expenditures in New York counties as an example, which party generally spends the most money?

9. For what purposes may expenditures be made in a county campaign?
10. From what sources do parties secure their campaign funds?
11. Why are candidates expected to contribute?
12. May civil service employees contribute to campaign funds?
13. Why do party officials contribute?
14. Why do corporations not contribute to campaign funds?
15. When campaign collectors are paid for their services what possibility of reward do they often lose?
16. How do campaign committees ordinarily collect campaign funds?
17. Do parties ever conclude campaigns in debt?
18. Did the LaFollette Independent Progressive party in 1924 experience difficulty in the collection of campaign funds?

CHAPTER XIX

CORRUPT PRACTICES

Bribery.—Bribery in Parliamentary elections was in all probability a crime at common law in England, although it forms the basis for much of the legislation to prevent corrupt practices in that country. Later this came to include treating, and undue influence, through legislation, and finally, in 1833, personation was placed in the category of the forbidden election offenses by Parliamentary action.¹ Canada followed the example of the mother country, in 1886, by the enactment of comprehensive statutes to purify elections.

All of the states have provided against bribery through legislation. Many which have enacted corrupt practices legislation have made further provision against bribery in these statutes, just as was done in England. Bribery is sometimes defined to include in all cases substantially the giving or receiving or both the giving and receiving or offering to give or soliciting in behalf of self or another person, the influence or vote at the polls or convention, or refraining from voting, because of some reward, cash or otherwise, including employment, given or promised for the future. Many of the statutes include treating and ordinary cases of intimidation, but where this is not done, in the definition of bribery, separate offenses are defined to include them.

In summarizing the penalties hereafter, where the word primary is used, caucus or convention is included in states having legal control over these bodies in the event of their existence as nominating factors. Both the briber and the bribed

¹ The English statutes on the subject include: 3 Edward 1, c. 5; 7 Henry IV, c. 15; 11 Henry IV, c. 1; 6 Henry VI, c. 4; 8 Henry VI, c. 7; 23 Henry VI, c. 14; 7 & 8 Will. III, c. 4; 2 Geo. II, c. 2; 2 Geo. II, c. 24; 49 Geo. III, c. 118; 2 & 3 Will. IV, c. 45; 2 & 3 Will. IV, c. 88; 3 Will. IV, c. 65; 7 & 8 Geo. IV, c. 37; 4 & 5 Vict. c. 57; 5 & 6 Vict. c. 102; 10 & 11 Vict. c. 21; 15 & 16 Vict. c. 57; 17 & 18 Vict. c. 102; 26 & 27 Vict. c. 29; 31 & 32 Vict. c. 125; 42 & 43 Vict. c. 73; 46 & 47 Vict. c. 51; 48 & 49 Vict. c. 46; 58 & 59 Vict. c. 40, and; 8 Geo. V. c. 64.

are punished as for a felony in both the primary and the election in California², Delaware³, Montana⁴, North Carolina⁵, Oklahoma⁶, Texas⁷, and Utah⁸. In the following states the punishment for both the briber and the bribed in both the primary and the election is as for a misdemeanor: Arizona⁹, Connecticut¹⁰, Georgia¹¹, Indiana¹², Iowa¹³, Kentucky¹⁴, Maine¹⁵, Maryland¹⁶, Michigan¹⁷, Mississippi¹⁸, Missouri¹⁹, New Hampshire²⁰, New Jersey²¹, New Mexico²², North Dakota²³, Oregon²⁴, Pennsylvania²⁵, South Carolina²⁶, South Dakota²⁷, Tennessee²⁸, Virginia²⁹, West Virginia³⁰, Wisconsin³¹,

² "Codes of California," (Los Angeles, 1915), Penal Code, secs. 54 and 54b.

³ "Revised Statutes of Delaware," (Wilmington, 1915), sec. 1773.

⁴ "Revised Codes of Montana," (San Francisco, Calif., 1921), sec. 8169.

⁵ "Consolidated Statutes of North Carolina," (Raleigh, 1920), sec. 4186.

⁶ "Revised Laws of Oklahoma," (Ardmore, 1918, "Supplement of 1918"), sec. 3216.

⁷ "Complete Texas Statutes," (Austin, 1925), Penal Code, secs. 209, 210.

⁸ "Compiled Laws of Utah," (Salt Lake City, 1908), secs. 2335, 2336, 2338.

⁹ "Revised Statutes of Arizona," (Phoenix, 1913), Penal Code, sec. 3940.

¹⁰ "General Statutes of Connecticut," (Hartford, 1918), secs. 676, 679.

¹¹ "Annotated Statutes of Georgia," (Atlanta, 1914-16), secs. 665, 671.

¹² "Watson's Revision of Annotated Indiana Statutes," (Indianapolis, 1926), sec. 7661k.

¹³ "Annotated Code of Iowa," (Des Moines, 1897, with "Supplements" of 1907, 1913 and 1915), sec. 4914.

¹⁴ "Statutes of Kentucky," (Cincinnati, O., 1909, "Supplement of 1917"), secs. 1586, 1587.

¹⁵ "Revised Statutes of Maine," (Kennebec, 1917), ch. 7, secs. 97, 119.

¹⁶ "Annotated Code of Maryland," (Baltimore, 1924), art. 33, sec. 173.

¹⁷ "Compiled Laws of Michigan," (Chicago, Ill., 1922, "Annotated Supplement of 1922"), sec. 15169.

¹⁸ "Annotated Mississippi Code," (Indianapolis, Ind., 1917, "Supplement of 1921"), sec. 6411.

¹⁹ "Revised Statutes of Missouri," (Jefferson City, 1919), secs. 3185, 3186.

²⁰ "Laws of New Hampshire of 1911," (Concord, 1911), ch. 99, sec. 1.

²¹ "Compiled Statutes of New Jersey," (Newark, 1918, "Supplement of 1918"), ch. 84, sec. 130.

²² "New Mexico Statutes," (Denver, Colo., 1915), sec. 2049.

²³ "Compiled Laws of North Dakota," (Rochester, N. Y., 1914, "Supplement, 1913-1925"), sec. 9250.

²⁴ "Oregon Laws," (San Francisco, Calif., 1920), sec. 4142.

²⁵ "Digest of Pennsylvania Statute Law," (St. Paul, Minn., 1920), secs. 9657, 9658, 9861, 9862.

²⁶ "Code of Laws of South Carolina," (Columbia, 1922), secs. 360-362.

²⁷ "South Dakota Revised Code," (Pierre, 1919), secs. 3648, 3649, 3655.

²⁸ "Thompson's 'Shannon's Code of Tennessee,'" (Louisville, Ky., 1920, "Baldwin's Cumulative Code Supplement,") sec. 6841, a18 and a19.

²⁹ "Biennial Code of Virginia," (Richmond, 1912), sec. 4727.

³⁰ "West Virginia Code," (Albany, N. Y.), ch. 5, sec. 8b (14).

³¹ "Wisconsin Statutes," (Madison, 1925), sec. 4478.

and Wyoming³², Minnesota punishes only the briber in both the primary and the election as for a felony³³. Such policy also is recognized by the following states, but only as for a misdemeanor: Alabama³⁴, Kansas³⁵, Louisiana³⁶, Massachusetts³⁷, Nebraska³⁸, Nevada³⁹, Rhode Island⁴⁰, and Vermont⁴¹. Washington similarly subjects the briber to conviction for a misdemeanor in the primary and a felony in the election⁴². Colorado punishes both the briber and the bribed as for a felony in the primary and a misdemeanor in the election⁴³. Ohio makes bribing to the briber a felony in both the primary and the election and a misdemeanor in the election⁴⁴. Illinois⁴⁵ and New York⁴⁶ punish the bribed only in both the primary and the election, the former as a misdemeanor and the latter as a felony. In Florida, the briber alone is punished in both the primary and the election, the first offense as a misdemeanor and the second as a felony⁴⁷. Arkansas provides that the briber in the primary and the bribed in the primary and the election are guilty of felonies⁴⁸. In Idaho, at a primary, both the briber and the bribed may be punished for a misdemeanor, but at the election only the briber⁴⁹. Conviction for a misdemeanor carries with it punishment by a fine or by confinement in the county jail or both fine and such confine-

³² "Wyoming Compiled Statutes, Annotated," (Sheridan, 1920), secs. 2733, 2734.

³³ "General Statutes of Minnesota," (St. Paul, 1923), sec. 612.

³⁴ "Code of Alabama," (Atlanta, Ga., 1923), sec. 694.

³⁵ "General Statutes of Kansas," (Topeka, 1915), sec. 4342.

³⁶ "Annotations to Statute Law of Louisiana," (New Orleans, 1917), secs. 688-27, 691-37.

³⁷ "General Laws of Massachusetts," (Boston, 1922), ch. 55, sec. 26.

³⁸ "Compiled Statutes of Nebraska," (Columbia, Mo., 1922), sec. 2331.

³⁹ "Revised Laws of Nevada," (Carson City, 1913, "Revision of 1920"), sec. 66802.

⁴⁰ "General Laws of Rhode Island," (Providence, 1909), ch. 20.

⁴¹ "General Laws of Vermont," (Burlington, 1918), secs. 141, 297.

⁴² "Codes and Statutes of Washington," (San Francisco, Calif., 1916), secs. 2253, 9131-25.

⁴³ "Colorado Statutes," (Denver, 1913), secs. 2557, 2558, 2588, 2590.

⁴⁴ "Page's New Annotated Code of Ohio," (Cincinnati, 1926), secs. 13312-13314.

⁴⁵ "Smith-Hurd's Illinois Revised Statutes," (Chicago, 1923), ch. 46, secs. 493-495.

⁴⁶ "Cahill's Consolidated Laws of New York," (Chicago, Ill., 1923), Penal Law, sec. 767.

⁴⁷ "Compiled Laws of Florida," (St. Paul, Minn., 1915), sec. 3841f.

⁴⁸ "Digest of Statutes of Arkansas," (Little Rock, 1921), secs. 3809, 3882.

⁴⁹ "Idaho," *op. cit.*, secs. 27.27, 6364.

ment. In Idaho, disfranchisement is carried with it⁵⁰. Conviction for a felony means confinement in the penitentiary or a fine or both such confinement and fine. It usually means loss of citizenship, but this may be restored through pardon or such other executive action as is provided by statute. Forty lashes by the whip may be substituted under the laws of Delaware, and the person to whom the bribe has been offered may sue the defender in debt for \$500⁵¹. Disfranchisement, commonly called loss of citizenship, while effective includes disability to hold a public office.

The states since the time of their formation have had statutes to safeguard the proper returning of the results, provisions against voters repeating, bribing election officials, which ordinarily are greater offenses than bribing a voter, and for similar infractions. They are not commonly called corrupt practices.

Following the example set by England, the early 90's saw corrupt practices legislation in New York⁵², Colorado⁵³, Michigan⁵⁴, and Massachusetts⁵⁵. This legislation has since continued until all states now have statutes controlling the elections for office, which may properly be called corrupt practices acts, except Illinois, Mississippi, Rhode Island, South Carolina and Tennessee.

Campaign expenditures.—The most important feature of the corrupt practices legislation is that providing limitations of amounts and purposes of expenditures and publicity concerning the same as provided to some extent in all of the laws enacted on the subject by the states.

In Alabama, the following amounts may be expended in the primary and election: United States senator and governor, \$10,000; other state elective offices, \$2,500; state senator, \$300; state representative, \$250; other public offices, the maximum allowed, \$1,000. Candidates for party committeemen and delegates are included⁵⁶. Expenditures are limited to traveling expenses, qualifying fee, necessary stenographic

⁵⁰ Ibid., secs. 27, 27, 6364.

⁵¹ "Delaware," op. cit., sec. 1789.

⁵² "Laws of New York of 1892," ch. 693.

⁵³ "Laws of Colorado of 1891," sec. 167.

⁵⁴ "Public Acts of Michigan of 1891," sec. 167.

⁵⁵ "Acts of Massachusetts of 1892," ch. 416.

⁵⁶ "Alabama," op. cit., sec. 586.

and clerical force for literature, telegrams, telephones, express, freight, and stationery, list of voters, office rent, newspaper advertising, literature and posters, agents to distribute literature, halls for speaking and musicians, and traveling expenses of speakers and employes. All other expenditures are corrupt⁵⁷. The qualifying fee as elsewhere is not a part of the amount allowed for expenditure. Candidates name those authorized to receive and expend for them, and all authorized to do so, including committee treasurers, and candidates must file statements of receipts and expenditures both before and after the elections. Failure to comply as in other states is a corrupt practice⁵⁸.

In an Arizona primary the limits of expenditures by or for candidates are: United States senator, \$1,500; state offices, \$1,000; supreme court judge, \$750; member of Congress, \$1,000; state senator and representative and county offices, \$200; maximum for other offices, \$200⁵⁹. Among the expenditures prohibited in Arizona are entertainment, conveyances, except for the sick and infirm, payments for expenses other than hand bills at meetings⁶⁰. The candidate and his campaign committee must file complete statements of expenditures, and the latter, receipt also⁶¹. Election expenses must be filed before and after the elections and by all persons handling the same⁶².

In Arkansas, candidates for the United States Senate and House during both the primary and the election shall not spend in excess of the income of the office for one year⁶³. Candidates for governor may expend \$5,000 in the primary and other state offices the salary for one year, not to exceed \$3,000. Candidates for the legislature may spend \$360 in the primary, exclusive of hotel and traveling expenses⁶⁴. Statements of expenses must be filed after the primary and the election⁶⁵.

Candidates for the nomination in California are limited to

⁵⁷ Ibid., sec. 585.

⁵⁸ Ibid., secs. 587, 589.

⁵⁹ "Arizona," op. cit., Civil Code, sec. 3034.

⁶⁰ Ibid., Penal Code, sec. 41.

⁶¹ Ibid., Civil Code, secs. 3030, 3034.

⁶² Ibid., Civil Code, secs. 3052, 3054, 3055.

⁶³ "Arkansas," op. cit., sec. 3894.

⁶⁴ Ibid., sec. 3897.

⁶⁵ Ibid., sec. 3895.

expenditures for filing fee and nomination papers, personal traveling expenses, halls and rooms, speakers and musicians and their traveling expenses, pamphlets, newspapers, posters, challengers, canvassers of the polls, clerk hire, conveyances for aged and infirm voters, and postage, telephones, telegrams and expressage⁶⁶. Statements of receipts and expenditures must be filed after the primary⁶⁷.

Committee chairmen must file statements after the election in Colorado⁶⁸. Every candidate after the primary must also file statements of expenditures⁶⁹.

Candidates for United States senator in Connecticut are restricted to one-third of one year's salary for the nomination or election or both. Other candidates for the nomination may expend \$10 for every 1,000 qualified to vote at the preceding election, and for the election, \$15 for every 1,000 by others than the candidates, but the candidates may expend \$25, but not the two together⁷⁰. No person other than a treasurer or political agent may pay expenses. However, a candidate may pay his own expenses for postage, telegrams, telephoning, stationery, printing (advertising excepted), expressage, and traveling⁷¹. Treasurers or political agents may pay the following expenses: Public halls and music, banners, fireworks and advertising; printing and circulating the same; sample ballots, rooms, clerks, and employes at the polls; traveling expenses for agents and speakers and compensation for the latter; petitions; and conveyances for voters to the polls⁷². All candidates except those for certain minor offices must file within 15 days after the election at which they were candidates complete statements of receipts and disbursements, including names⁷³.

In Delaware, expenditures are limited to traveling and personal expenses, printing, stationery, advertising, postage, expressage, freight, telephoning and telegrams, meetings and demonstrations, transportation of speakers, offices and clerical force, watchers, and transportation of voters to and from the

⁶⁶ "Act 1010 of 1917-1918," sec. 29.

⁶⁷ *Ibid.*, sec. 30.

⁶⁸ "Colorado Statutes," (Denver, 1913), sec. 2562.

⁶⁹ "Acts of Colorado of 1921," ch. 416, sec. 29.

⁷⁰ "Connecticut," *op. cit.*, ch. 36, sec. 680.

⁷¹ *Ibid.*, sec. 673.

⁷² *Ibid.*, sec. 674.

⁷³ *Ibid.*, sec. 672.

polls⁷⁴. Candidates after conventions and candidates and treasurers after elections must file statements of receipts and expenditures if in excess of \$50, or statements that they are less than that⁷⁵.

In Florida, candidates before the primary are restricted to the following total maximum expenditures: United States senator and governor, \$4,000; all other administrative offices, \$2,500; members of Congress and certain state offices, \$2,000, and maximum for other offices, \$750 down to \$50⁷⁶. Primary expenditures are limited to traveling expenses, qualifying fee, stenographic and clerical force, telegrams, telephones, expressage, freight, postage and stationery, voters's lists, offices and halls, and advertising⁷⁷. All receipts and disbursements must be reported both before and after the primary⁷⁸.

All candidates after the primaries and elections must file statements of receipts and expenditures in Georgia⁷⁹.

Candidates for the nomination in Idaho may expend 25 per cent of the yearly salary for state offices, United States senator and representative in Congress, 15 per cent for district judge, 10 per cent for the principal county offices and \$100 for members of the legislature and county commissioners⁸⁰. Expenditures are limited in the primaries to traveling, letters and other publications, cards, stationery and postage, and halls and rooms⁸¹. Sworn statements of expenditures must be filed after the nomination has been made⁸².

In Indiana, any candidate for nomination or election or both shall not exceed in expenditures \$25 for each 1,000 votes up to 50,000, \$10 for each 1,000 in excess of 50,000 up to 100,000 and \$5 for each 1,000 in excess of that. Personal expenses are excepted in cases where the primary or convention is not held under state auspices⁸³. The candidate may pay his own expenses for postage, telegrams, telephoning, stationery, letters, printing, expressage and traveling, but none others

⁷⁴ "Delaware," *op. cit.*, sec. 1876D-26.

⁷⁵ *Ibid.*, sec. 1876E-27.

⁷⁶ "Florida," *op. cit.*, sec. 3841pp.

⁷⁷ *Ibid.*, sec. 3841p.

⁷⁸ *Ibid.*, sec. 277e.

⁷⁹ "Georgia," *op. cit.*, Penal Code, sec. 671.

⁸⁰ "Idaho," *op. cit.*, sec. 27:24.

⁸¹ *Ibid.*

⁸² *Ibid.*, sec. 27:25.

⁸³ "Indiana," *op. cit.*, sec. 7661e.

may make payments except treasurers⁸⁴. A treasurer may expend for halls and music, for meetings, advertising, printing and circulation of the same, rooms and headquarters, clerical and polling force, traveling expenses of agents, speakers and committees, services (but not of speakers) of chairmen and secretaries (but not agents and treasurers), poll lists, postage, telephoning, telegrams, and conveyances for the aged and infirm⁸⁵. Candidates and political agents and treasurers must file statements of receipts and expenditures after the primaries and elections⁸⁶.

In Iowa, it is unlawful to spend by or in behalf of a candidate more than 50 per cent of the annual salary at the primary and the same amount at the election⁸⁷. Candidates and committee chairmen must file statements of receipts and expenditures after the primaries and elections⁸⁸.

In Kansas, it is unlawful for any candidate for a state or local office to expend more than 10 per cent of the first year's salary, at the primary, and the same amount at the election, this not to include his hotel and traveling expenses. For offices paying less than \$500, the candidate may spend \$50. If he owns a newspaper, he must deduct for advertising⁸⁹. Conveyances may not be furnished for voters registering or voting, and cigars may not be purchased on the day of voting⁹⁰. Candidates and political organizations must file statements of all expenditures, and the latter also receipts, both after the primary and the election⁹¹.

In Kentucky, the governor may expend \$10,000 in the primary and a like amount in the election with \$5,000 for other state officers, \$3,000 for appellate court judge and railroad commissioner, district officers, \$2,500, and county officers from \$1,000 to \$2,500, according to the size of the county⁹². Candidates and campaign committees must file statements of all receipts and disbursements, after the primaries and elections⁹³.

⁸⁴ Ibid.

⁸⁵ Ibid., sec. 7661f.

⁸⁶ Ibid., secs. 7661g, 7661h.

⁸⁷ "Iowa," op. cit., sec. 197-1.

⁸⁸ Ibid., secs. 137a1, 137a3.

⁸⁹ "Kansas," op. cit., sec. 4339.

⁹⁰ Ibid., secs. 4344, 4352.

⁹¹ Ibid., secs. 4337, 4340.

⁹² "Kentucky," op. cit., sec. 15-5b13-b19.

⁹³ Ibid., 1565b5, b6.

In Louisiana, for the nomination, candidates for United States senator and governor are limited to expenditures of \$6,000; other state offices and representative in Congress, \$2,000; district and certain county offices, \$750; and senator and representative in the legislature, \$250; all of which is to be spent by duly designated committees⁹⁴. At primaries, the expenditure of money for watchers or agents at the polls, boarding or lodging of persons and for loss of time while attending the polls is forbidden⁹⁵. Ascendant, descendant, and other close relatives are considered as the candidate, so far as expenditures are permitted⁹⁶. This holds true in some other states and often is extended to include fellow officials or corporations and fellow employes. The committee treasurers who make the expenditures must file statements of receipts and expenditures after both the primary and the election⁹⁷.

In Maine, for the nomination, candidates for state offices are limited to an expenditure of \$1,500, and for representative in Congress, \$500. Candidates for United States senator must file returns of expenditures. Candidates for the legislature are restricted to expenditures in proportion to the votes cast for governor at the preceding election, as well as are those seeking county offices⁹⁸. Within seven days of a candidate's notification of nomination, he must file a statement of all expenditures, except personal expenses for postage, telephones, telegrams, stationery and expressage. His statement of expenses is divided into printing, clerk hire, newspaper advertising, hall rent, soliciting agents and miscellaneous, the latter not to exceed 10 per cent of the whole. Political agents must also make returns, omitting only personal expenses⁹⁹. Treasurers and political agents may expend for halls and conventions and their incidental expenses, newspapers, pamphlets and books, rooms and reasonable entertainment and refreshments for committeemen, clerical and polling force, postage, telephoning, telegrams, expressage and conveyances to the polls¹⁰⁰.

⁹⁴ "Louisiana," *op. cit.*, sec. 686.

⁹⁵ *Ibid.*, secs. 687, 688.

⁹⁶ *Ibid.*, sec. 686.

⁹⁷ *Ibid.*, sec. 683.

⁹⁸ "Maine," *op. cit.*, sec. 6-21.

⁹⁹ *Ibid.*, sec. 6-18.

¹⁰⁰ *Ibid.*, sec. 7-128.

Candidates, treasurers, and agents must file statements of receipts and disbursements after the election¹⁰¹.

In Maryland, primary candidates are limited to expenditures in their behalf of \$25 for each 1,000 votes at the last preceding election up to 50,000 and \$10 for each 1,000 in excess. Authorized postage is excepted. Contributions of a candidate's wife are construed as his own¹⁰². Political agents and treasurers alone may pay primary expenses, except a candidate may pay for postage, telegrams, telephoning, stationery, printing, expressage, traveling, and board¹⁰³. Treasurers and political agents in both the primary and election may expend for halls and music, political articles, specimen ballots, rooms and headquarters, clerical and polling force, traveling and expenses of agents, committees and speakers, postage, telephoning, telegrams and printing, conveyances for the polls, expenses and entertainment, for messages and persons summoned for party conferences, and entertainment and transportation of members of the state central committee¹⁰⁴. All candidates for both houses of Congress and state and local offices and treasurers and agents must file statements of receipts and disbursements after the primary and the election¹⁰⁵.

In Massachusetts, candidates for United States senator may expend \$5,000 in the primary and \$10,000 in the election; for governor the same; for other state offices and representative in Congress, \$3,000 in the primary and \$6,000 in the election; state senatorial candidates, \$1,000 in each; state representatives, from \$400 to \$600 in each; and for other offices, \$40 for each 1,000 votes, but not more than \$1,500 in the primary and \$3,000 in the election. Political committees are excepted for the whole ticket¹⁰⁶. Political committees may expend for advertising and circulars, headquarters and clerical force, refreshments, including cigars and tobacco, decorations and music, postage, expressage, telephoning, telegrams, and messengers, traveling expenses, and one hired conveyance and two hired workers at each polling place¹⁰⁷. Statements

¹⁰¹ *Ibid.*, sec. 7-129, 130.

¹⁰² "Maryland," *op. cit.*, art. 33, sec. 167.

¹⁰³ *Ibid.*, art. 33, sec. 168.

¹⁰⁴ *Ibid.*, art. 33, sec. 168.

¹⁰⁵ *Ibid.*, art. 33, sec. 169.

¹⁰⁶ "Acts and Resolves of Massachusetts of 1923," ch. 110.

¹⁰⁷ "General Laws of Massachusettes," (Boston, 1922), ch. 55, sec. 5.

must be filed within thirty days after the primary and election, showing all receipts and expenditures¹⁰⁸.

* In Michigan, no sums shall be expended for the nomination in excess of 25 per cent of one year's salary, except 50 per cent for governor and lieutenant-governor, although no candidate shall be restricted to less than \$100. Candidates for the legislature may expend 25 per cent of two years' salary and at the general election the same. At the election the other candidates may expend but 25 per cent of one year's salary¹⁰⁹. Candidates and treasurers are restricted in expenditures to traveling and personal expenses, printing, stationery, advertising, postage, telegraph, telephone, and messenger, printed information, meetings, offices and clerical force, speakers and musicians and their traveling expenses, purification of polling lists, making canvasses, and counsel¹¹⁰. Candidates and treasurers must file statements of receipts and expenditures before and after both the primary and the election¹¹¹.

Expenditures in behalf of candidates for governor in Minnesota may not exceed \$7,000; other state offices, \$3,500; state senator, \$600; state representative, \$400; Presidential electors, at large, \$500, district, \$100; and other offices, not to exceed one-third of the first year's salary¹¹². Candidates may expend only for traveling, postage, telephone, telegraph, messenger, halls and rooms, payments of speakers and musicians and their traveling expenses, lists of candidates and sample ballots, pamphlets, newspapers, cards, polling lists, canvassing and challenging votes, contributions to party committees, if nominated, and advertising¹¹³. No committee, personal or party, may make disbursements except for headquarters and halls, stationery, postage, telegraph, telephone, messenger service, and clerical hire, badges, printing, banners and hand bills, literature and advertising, wages and personal expenses of speakers, organizers and musicians, traveling expenses for members of committees, and preparing poll lists and chal-

¹⁰⁸ *Ibid.*, ch. 55, secs. 16-18, 23, 26.

¹⁰⁹ "Compiled Laws of Michigan," (Lansing, 1915, with "Annotated Supplement of 1922), sec. 3828.

¹¹⁰ *Ibid.*, sec. 3830.

¹¹¹ *Ibid.*, sec. 3831.

¹¹² "Minnesota," *op. cit.*, sec. 5/1.

¹¹³ *Ibid.*, sec. 567.

lengers at the polls ¹¹⁴. Candidates and committees must file statements of receipts and expenditures preceding both the primary and the election¹¹⁵.

In Missouri, no candidate for Congress or a state office may expend in excess of \$200 for the first 5,000 or less in voters, \$4 for each 100 over 5,000 and under 25,000, \$2 for each 100 over 25,000 and under 50,000, and \$1 for each 100 over 50,000¹¹⁶. All candidates, including those for both houses of Congress, must file statements of expenses after the primary and after the election¹¹⁷.

In Montana, with the exception of expenses paid the state, candidates in the primary may not expend in excess of 15 per cent of one year's salary, with a minimum of \$100 allowed. Expenditures of relatives and business associates are considered as those of the candidate¹¹⁸. In the election, the expenditures are limited to 10 per cent, with the minimum of \$100, and party committees are required to observe the provisions of the act in the candidates they support¹¹⁹. No compensation may be paid for loss of time or work on election day¹²⁰. Candidates and all others expending over \$50 must keep vouchers for the same and file statements of expenditures after the primary and election¹²¹.

Candidates for state offices in Nebraska for the primary and election, individually or through committees, may not expend more than \$100, if there are 5,000 or less voters, \$2 for each 100 over 5,000 and under 25,000, \$1.50 for each 100 over 25,000 and under 100,000, with nothing additional for a higher number of voters. However, expenditures for personal traveling expenses, subsistence, stationery and postage, letters and circulars, and for telegraph and telephone are excluded¹²². Such expenditures are limited to bona fide expenses such as conducting meetings and expenditures for entertainments, drinks, tobacco and other refreshments are

¹¹⁴ *Ibid.*, sec. 583.

¹¹⁵ *Ibid.*, sec. 585.

¹¹⁶ "Missouri," *op. cit.*, ch. 30, art. xiii, sec. 5030.

¹¹⁷ *Ibid.*, sec. 5031.

¹¹⁸ "Montana," *op. cit.*, *Cor. Prac. Act.*, sec. 1.

¹¹⁹ *Ibid.*, *Cor. Prac. Act.*, sec. 8.

¹²⁰ *Ibid.*, *Cor. Prac. Act.*, sec. 32.

¹²¹ *Ibid.*, *Cor. Prac. Act.*, secs. 11, 12.

¹²² "Nebraska," *op. cit.*, sec. 2350.

prohibited¹²⁰. Conveyances, except for sick and disabled voters, are forbidden¹²¹. Candidates for representative (but not senator) in Congress and all state offices except minor ones, must file statements of receipts and expenditures after the primary and election¹²².

In Nevada, no expenditures for the nomination may be made in excess of 20 per cent of one year's salary with the same limitation as to the election, but a candidate may contribute 20 per cent of one year's salary to the managing committee of his party and no one is restricted to less than \$150. No political party in a state campaign may expend in excess of \$15,000. Candidates for both houses of Congress may expend the amounts allowed by Federal statutes¹²³. Expenditures are restricted to the expenses of holding public meetings and the printing and circulation of ballots and hand bills and other papers¹²⁴. Two or more parties may cooperate in furnishing conveyances to convey the sick and infirm to the polls. Candy and cigars may not be distributed¹²⁵. All candidates must file statements before and after both the primary and the election¹²⁶.

In New Hampshire, primary candidates are limited to: United States senator and governor, \$1,000; member of Congress, \$500; councillor, \$250; state senator and county officer, \$100; and representative in the general court, \$25¹²⁷. No state committee may in one year expend in excess of \$25,000 and not more than one-half of that for salaries of political agents and contributions to local committees¹²⁸. Candidates in the election, apart from their donations to the state committee, are restricted to expenditures of: United States senator and governor, \$1,000; representative in Congress, \$750; councillor, \$250; state senator and county officer, \$150; and representative to the general court, \$25¹²⁹. Candidates for governor and both houses of Congress must file statements of

¹²⁰ *Ibid.*, sec. 2350.

¹²¹ *Ibid.*, sec. 2379.

¹²² *Ibid.*, secs. 2352, 2353.

¹²³ "Nevada," *op. cit.*, Act to Limit Expenditures, secs. 4-6.

¹²⁴ *Ibid.*, sec. 6802.

¹²⁵ *Ibid.*, Act to Limit Expenditures, secs. 30, 31.

¹²⁶ *Ibid.*, Act to Limit Expenditures, sec. 3.

¹²⁷ "New Hampshire," *op. cit.*, ch. 34, sec. 5.

¹²⁸ *Ibid.*, ch. 34, sec. 3.

¹²⁹ *Ibid.*, ch. 34, sec. 4.

receipts and expenditures before and after both the primary and the election and the state committees must file before and after the election. All other candidates and committees file after the primary and after the election¹³³.

Excepting traveling expenses of candidates and others donating the same, expenditures in New Jersey are restricted in the primary and election: United States senator and governor, \$25,000 in the primary and the same amount in the election; member of Congress, \$3,500 in each; state senator, 10 cents for each voter in the county at the last Presidential election in each; state representative 5 cents in each per voter, but in the two together may expend \$2,000; delegate-at-large, Presidential elector, and committeeman, \$5,000; and minor offices for the most part, 10 cents for each vote at the last Presidential election¹³⁴. Party committees may not expend money in aid of any candidate¹³⁵. Expenses for maintaining party organizations by committees must be confined to rooms, stationery, clerks, notices, and other incidentals. During the campaign authorized expenses are public meetings, advertising, preparation and mailing of letters, and hire of watchers at polls on election day. If contributions are made by candidates, statements must be made as to the purposes for which given¹³⁶. Sums in support of candidacies by the candidates or others may be only for advertising, meetings, traveling expenses and expenses of traveling agents, watchers at the polls, stenographers, telephone, telegraph, expressage, postage, candidates' traveling expenses, and literature¹³⁷. Expenses prohibited to candidates are for posters on billboards, trees, posts, walls, or in windows, watchers or agents at the primary or election except those permitted by law at the primary, volunteer vehicles for carrying the voters to the polls, no compensation for services except clerical and watchers unless notice is filed within twenty-four hours, and nothing to create public sentiment except where authorized¹³⁸. Arrangements may be made fifteen days before the primary or election to convey to the polls voters living two miles away, provided they are aged

¹³³ Ibid., ch. 34, secs. 2, 6.

¹³⁴ "New Jersey," op. cit., sec. 184-1.

¹³⁵ Ibid., sec. 184-20.

¹³⁶ Ibid., sec. 184-21.

¹³⁷ Ibid., sec. 184-27.

¹³⁸ Ibid., sec. 184-28.

or infirm¹³⁹. All contributions to a candidate's manager must be made fifteen days before the election¹⁴⁰. Campaign managers must file statements of receipts and expenditures both before and after the primary and the election¹⁴¹.

In New Mexico, it is illegal to expend to secure the nomination or election for any office or for both more than 10 per cent of one year's salary, exclusive of hotel and traveling expenses¹⁴². Candidates must file statements of receipts and expenditures, except hotel bills and traveling expenses, before and after both the convention and the election¹⁴³. The treasurer of every political committee must file statements of receipts and expenditures after the election¹⁴⁴.

In New York, the limitations which may not be exceeded by candidates for both the nomination and election follow: Governor, \$10,000; any state office other than a judicial one, \$6,000; member of Congress and Presidential elector, \$4,000; state senator, \$2,000; assemblyman, \$1,000; and minor offices, 5,000 votes or less, \$500, and \$3 for each 1,000 in excess¹⁴⁵. Judicial officers are not to contribute and no contributions are to be made to them, but they may make legal expenditures¹⁴⁶. Candidates for nomination and election may pay expenses for traveling, letters and circulars, and telegraph, telephone and other public messenger service. Candidates must file statements of contributions to them after the election¹⁴⁷. Expenditures by committees are illegal when for other than halls and speakers, music, fireworks, and advertising, posters, lithographs, banners and notices, advertisements, and additional circulation to newspapers, necessary clerical and legal assistance and agents, voters' lists, reasonable traveling expenses for agents, committeemen, candidates and speakers, postage, expressage, telegraph and telephone, watchers, and a limited number of carriages for voters¹⁴⁸. Committee treasurers must

¹³⁹ Ibid., sec. 184-32.

¹⁴⁰ Ibid., sec. 184-14.

¹⁴¹ Ibid., sec. 184-23.

¹⁴² "New Mexico," *op. cit.*, sec. 2057.

¹⁴³ Ibid., sec. 2058.

¹⁴⁴ Ibid., sec. 2063.

¹⁴⁵ "New York," *op. cit.*, Penal Law, sec. 781.

¹⁴⁶ Ibid., Penal Law, sec. 780.

¹⁴⁷ Ibid., Election Law, sec. 542.

¹⁴⁸ Ibid., Penal Law, sec. 767.

file statements of receipts and expenditures after the election¹⁴⁹. Candidates must also show statements of contribution after both the primary and the election¹⁵⁰.

In North Carolina, candidates may not expend more than 50 per cent of one year's salary, with the exception of United States senatorial candidates, who may expend one year's, all exclusive of transportation and board and lodging bills¹⁵¹. Candidates for state and local offices must file statements of all receipts and expenditures both before and after the primary¹⁵².

Primary candidates in North Dakota are restricted in expenditures to 15 per cent of one year's salary, with a minimum of \$200, exclusive of traveling expenses¹⁵³. The restriction in the election is the same¹⁵⁴. They may in addition contribute to the party's state campaign. Money may not be expended to procure the attendance of voters at the polls, except for the sick and infirm¹⁵⁵. All candidates, including those for United States senator and representative in Congress, must file statements of expenditures after both the primary and the election¹⁵⁶.

The amounts of expenditures allowed for the nomination and the election in Ohio follow: Governor, \$5,000; other state officers, \$2,500; member of Congress, judge of the court of appeals and Presidential elector, \$2,000; state senator, \$300; judge of common pleas, \$500; state representative, \$250; and other local officers, \$300 for the first 5,000 votes in the last race for governor with \$5 for each additional 100. No one person other than the candidate shall contribute more than 10 per cent of the campaign fund¹⁵⁷. Expenditures are limited to halls, speakers, fireworks, advertising, literature, banners, printing, offices and club rooms, agents, candidates' personal traveling expenses, transportation to polls for sick and infirm inmates of soldiers' and sailors' homes, reasonable traveling

¹⁴⁹ *Ibid.*, Election Law, sec. 546.

¹⁵⁰ *Ibid.*, Penal Law, sec. 776.

¹⁵¹ "North Carolina," *op. cit.*, sec. 4185.

¹⁵² *Ibid.*, sec. 6025.

¹⁵³ "North Dakota," *op. cit.*, sec. 923.

¹⁵⁴ *Ibid.*, sec. 928.

¹⁵⁵ *Ibid.*, sec. 925.

¹⁵⁶ *Ibid.*, sec. 929.

¹⁵⁷ "Ohio," *op. cit.*, sec. 5175-29 and 29a.

expenses for committeemen, agents, clerks and speakers, voters' lists, and telegrams, telephoning, postage and express¹⁵⁸. All candidates, committees and organizations must file statements of receipts and expenditures after the primary and the election¹⁵⁹.

In Oklahoma, the primary limitations for candidates follow: United States senator and governor, \$5,000; state officers, \$1,500; supreme judge, \$1,000; member of Congress, \$800; district judge, \$500; state senator, \$250; state representative in more than one county, \$250; state representative in a single county, \$200; and other officers not to exceed \$200, with some having a maximum of \$50¹⁶⁰. Primary candidates must file statements of receipts and disbursements after the primary¹⁶¹. Before the primary the candidate files the name of those through whom he expects to expend¹⁶². Each campaign committee of the primary or election, and each candidate, must file a statement of receipts and expenditures after the election¹⁶³.

Party nominees in Oregon may expend not to exceed 10 per cent of the annual salary of the office, although they shall not be restricted to less than \$100 and may contribute toward the printing of the election pamphlet in addition¹⁶⁴. Close relatives and business associates are considered the same as the candidate in matters of contributions¹⁶⁵. Donated services by speakers, writers, and publishers, and expenditures for speakers, music, halls, lights, literature, advertising, office rent, printing, postage, clerk hire, challengers, and watchers, traveling expenses, telephones, and poll lists come outside the terms of the law¹⁶⁶. Treasurers of committees, candidates and all persons expending \$50 or more must file statements of receipts and disbursements, their offices being subject to inspection by political foes¹⁶⁷.

In Pennsylvania, if the disbursements exceed \$50, candi-

¹⁵⁸ *Ibid.*, sec. 5175-26.

¹⁵⁹ *Ibid.*, sec. 5175-2.

¹⁶⁰ "Oklahoma," *op. cit.*, sec. 3299.

¹⁶¹ *Ibid.*, sec. 3293.

¹⁶² *Ibid.*, sec. 3292.

¹⁶³ *Ibid.*, sec. 3297.

¹⁶⁴ "Oregon," *op. cit.*, sec. 4150.

¹⁶⁵ *Ibid.*, sec. 4113.

¹⁶⁶ *Ibid.*, sec. 4122.

¹⁶⁷ *Ibid.*, sec. 4124.

dates in the primary and the election and political treasurers must file statements of receipts and expenditures following the same¹⁶⁸. Lawful expenses are printing and traveling expenses, stationery, advertising, postage, expressage, freight, telegraph, telephone, and public messenger, dissemination of information to the public, meetings, demonstrations, and conventions, and transportation of speakers, officers, clerical force, watchers, transportation of voters to and from the polls, and legal expenses required by the state¹⁶⁹.

Candidates for municipal offices in South Carolina must file statements of expenditures after the primary¹⁷⁰.

No expenditures may be made in behalf of anyone in a South Dakota election in excess of 50 per cent of one year's salary, excepting printing and the circulation of printed matter¹⁷¹. All candidates must file statements of expenditures after both the primary and the election¹⁷². No expenditures may be made for work at the polls on election day¹⁷³. Voluntary work, however, is not prohibited. Lawful expenses are meetings, printing, postage, telegraph, offices and clerical force, music, flags, and decorations; stationery, transportation, and compensation and expenses of speakers¹⁷⁴. No firm or corporation may expend more than \$500 to defeat or promote a constitutional amendment¹⁷⁵.

In Texas, if a candidate does not have a majority of votes in the first primary, a second is held between the two highest. Of the amounts restricted for primary expenditures, four-fifths may be expended in the first primary and one-fifth in the second. These amounts follow: United States senator and governor, \$10,000; other state officers and representative in Congress, \$2,500; judge of the court of civil appeals, \$1,500; district attorney and district judge, \$600; state senator, \$1,000; state representative, \$300; and county officers, \$100 to \$750. An assistant campaign manager is not to expend in his county to exceed \$10 for each qualified 100 voters, with

¹⁶⁸ "Pennsylvania," *op. cit.*, sec. 9646.

¹⁶⁹ *Ibid.*, sec. 9645.

¹⁷⁰ "South Carolina," *op. cit.*, Criminal Code, sec. 363.

¹⁷¹ "South Dakota," *op. cit.*, sec. 7374.

¹⁷² *Ibid.*, sec. 7375.

¹⁷³ *Ibid.*, sec. 7374.

¹⁷⁴ *Ibid.*, sec. 7381.

¹⁷⁵ *Ibid.*, sec. 7374.

a maximum of \$500¹⁷⁶. Candidates and managers must not expend in behalf of other candidates to exceed \$1,000 or one year's salary¹⁷⁷. Candidates in primaries, their managers and assistants may expend for traveling expenses, filing fee, clerical force, distribution of literature, telegraph, telephone, postage, freight and express, printing and stationery, voters' lists, headquarters' office rent, advertising, and halls¹⁷⁸. Candidates for nomination and election to the United States Senate may expend only personal hotel and traveling expenses, telegraph and telephone, fees required by the state, contributions to political committees, and permitted legal expenses¹⁷⁹. Candidates, managers of headquarters, and others authorized to expend must file statements of receipts and expenditures following the primary and the election¹⁸⁰. Anyone may raise not to exceed \$50 for purposes of a local political meeting and may also expend \$1,000 on telephone, telegraph, and postage and contribute his own traveling and hotel expenses. Corporations are excluded¹⁸¹.

Limitations in Utah for the nomination and election are: United States senator, \$4,000; representative in Congress, \$2,000; governor, \$3,000; Presidential elector, \$500; state senator, \$200; state representative, \$200, and other offices, 15 per cent of the first year's salary unless for a two-year term, then 10 per cent of the first, with the minimum of \$100¹⁸². No one is permitted to make expenditures except the candidates and their personal campaign managers and party committees, except that county committees may rent halls and hire speakers. Expenditures are restricted beyond that to these lesser committees to printing, postage, telegraph and telephone; advertising and distribution of printed matter, clerical assistance, hotel and traveling expenses, and the speaker may pay his own traveling expenses¹⁸³. Committees may expend only for headquarters and halls, stationery, telegraph, telephone, messenger service, clerical force, badges, banners,

¹⁷⁶ "Texas," *op. cit.*, sec. 3174½b.

¹⁷⁷ *Ibid.*, sec. 3174½c.

¹⁷⁸ *Ibid.*, sec. 3174½b.

¹⁷⁹ *Ibid.*, sec. 3174p.

¹⁸⁰ *Ibid.*, sec. 3146.

¹⁸¹ *Ibid.*, sec. 3174½c.

¹⁸² "Utah," *op. cit.*, sec. 2376.

¹⁸³ *Ibid.*, sec. 2364.

posters, hand bills, advertisements, poll lists and challengers, and contributions to other party committees¹⁸⁴. Candidates for the nomination or election may expend only for personal hotel and traveling expenses, postage, telegraph and telephone, filing fees, and contributions to party and personal campaign committees¹⁸⁵. Candidates and secretaries of committees must report receipts and disbursements before and after both the primary and the election¹⁸⁶.

In Vermont, legitimate expenditures for the nomination are traveling expenses, printing and circulation of printed matter not printed at regular intervals, stationery and postage, telegraph, telephone and messenger service, and other petty personal expenses¹⁸⁷. Candidates must file statements of receipts and expenditures following the primary¹⁸⁸.

In Virginia, no candidate for either house of Congress or state or other position may expend except for candidates' traveling, printing and distribution of letters, circulars, stationery, telegraph, telephone, postage, bands, halls, headquarters and clerks, and voters' transportation¹⁸⁹. All candidates must file statements of receipts and expenditures after nominated¹⁹⁰.

Candidates after the primary in Washington are required to file statements of receipts and expenditures which must include personal and other expenses¹⁹¹.

In West Virginia, for the nomination or election or both the limitations are as follows: United States senator and any state office, \$75 for each county in the state for the primary with a like amount for the election; \$75 for each in each; members of the legislature, \$125 for each in each; and other offices, \$50 for each campaign¹⁹². Expenditures may be only for offices and clerical force, printing and distribution, halls, advertising, speakers, and musicians, traveling and hotel expenses of candidates, political agents and committees, station-

¹⁸⁴ *Ibid.*, sec. 2366.

¹⁸⁵ *Ibid.*, sec. 2365.

¹⁸⁶ *Ibid.*, sec. 2368.

¹⁸⁷ "Vermont," *op. cit.*, sec. 157.

¹⁸⁸ *Ibid.*, sec. 137.

¹⁸⁹ "Virginia," *op. cit.*, sec. 251.

¹⁹⁰ *Ibid.*, sec. 253.

¹⁹¹ "Washington," *op. cit.*, sec. 2253.

¹⁹² "West Virginia," *op. cit.*, sec. 5-8b (11).

ery, postage, telegraph, telephone, expressage, freight and messenger service, petitions and investigation of voters' lists, and conveyances for aged and infirm voters to and from the polls¹⁹³. All persons expending money must file statements of receipts and expenditures before and after both the primary and the election¹⁹⁴.

In Wisconsin, primary candidates may expend only for hotel and traveling expenses, postage, telephone and telegraph, and payments to personal campaign committees and to the state. After the primary, no candidate for United States senator may make any disbursements except contributions to his party committee, postage, telegraph and telephone, and payments to the state as required by law¹⁹⁵. Legal disbursements by political and personal campaign committees are headquarters and halls, stationery, postage, clerical force, banners, badges, posters, hand bills and other campaign literature, advertising, and wages and necessary expenses of speakers¹⁹⁶. There may be no disbursements for services on the primary or election date¹⁹⁷. Disbursements for nomination and election may not exceed: United States senator, \$7,500; member of Congress, \$2,500; governor, \$5,000; other state officers, \$2,000 or \$5,000; state senator, \$400; assemblyman, \$150, and other officers, \$25 to \$500¹⁹⁸. Candidates and secretaries of committees must file statements of receipts and expenditures before and after both the primary and the election¹⁹⁹. Every other person who makes a disbursement must file a statement of it within forty-eight hours²⁰⁰.

In Wyoming, all candidates, including those for both houses of Congress, may not expend more than 20 per cent of one year's salary for the nomination and a similar amount for the election²⁰¹. Candidates must file complete statements of receipts and expenditures after both the primary and the elec-

¹⁹³ Ibid., sec. 5-8b (10).

¹⁹⁴ Ibid., sec. 5-8b (6).

¹⁹⁵ "Wisconsin," *op. cit.*, sec. 12:06.

¹⁹⁶ Ibid., sec. 12:07.

¹⁹⁷ Ibid., sec. 12:13.

¹⁹⁸ Ibid., sec. 12:20.

¹⁹⁹ Ibid., sec. 12:09.

²⁰⁰ Ibid., sec. 12:11.

²⁰¹ "Wyoming," *op. cit.*, sec. 2736.

tion²⁰². Committee chairman must do the same after the election²⁰³.

The penalties for failure to comply with these provisions of corrupt practices acts are somewhat similar in all of the states. When a person fails to file the statement of expenses with the secretary of state, county clerk or other proper officer as required by law, if he is the nominee, he does not have his name printed on the ballot for the election until he complies with the provisions of the law. If he is elected and fails to comply, he is refused the certificate of election, or if he has already taken office, any emoluments. Many states assess a fine of \$25 a day, suspended only in the discretion of the court, until he files such a statement. In the event expenditures are made for prohibited subjects, or in excess of the amount allowed by law, the candidate not only is refused the certificate of nomination or election, but is appropriately punished. It is the duty of the filing officers to notify the prosecuting officials of returns not filed or improperly made out and they in turn bring actions against the offending persons. Electors may bring actions in some states, but if they fail, they must stand the expenses of the suits. Where the person whose election is questioned is a candidate for the legislature or Congress, or is already sitting there, the facts as brought out in the case are forwarded to the presiding officer of the house of which he is a member or member-elect for appropriate action. Receipts and expenditures are construed in all of the states to mean unfulfilled obligations, such as promises of appointments, and even loans. A court will not vacate an election where the offense is done without the knowledge or consent of the candidate or outside of his constructive knowledge, unless the election hinged upon the particular act. Bills must be presented to the candidates and party committees within a reasonable length of time and must be for the ordinary and reasonable rates. The secretaries of state and other filing officials of the several states will furnish the candidates with blank forms for submitting their statements of receipts and expenditures. In some states the particular form to be used is prescribed by statute. Copies of the election laws governing expenditures are also furnished candidates and others inter-

²⁰² Ibid., sec. 2737.

²⁰³ Ibid., sec. 2738.

ested. In states where candidates have agents and personal campaign managers and where the party committees and organizations are recognized by law, the candidates are accountable for their conduct, and their officers are accountable to the state.

Contributions from corporations.—Practically all of the states that have adopted corrupt practices legislation have recognized the dangers to society of allowing corporations to have too much influence with the electorate. For that reason, clauses have been inserted in the laws prohibiting contributions from corporations organized for profit and which benefit from the election of certain candidates or the adoption of proposed constitutional amendments. Corporations from which contributions are prohibited include insurance, indemnity, safety deposit, trust companies, banks, railroads, railways, other means of public transportation, gas, electricity, and others in the public service.

Protection to candidates.—As a means of protecting the candidates and also to prevent virtual bribe solicitation, candidates may not be requested to contribute to and may not offer to contribute or contribute to organizations of religious, charitable or educational character. Likewise, they are not allowed to contribute toward the expenses of an entertainment, ball, picnic, or other outing. Candidates who have been regular contributors to such organizations for a reasonable time prior to the announcement of their candidacies generally are not restricted from making such contributions during the campaign. Other steps have been taken toward the protection of the candidates in many states by providing punishment for persons who circulate untruths concerning the candidates which are likely to have an injurious influence upon their candidacies. This would end the old time practice of the ward boss or county chairman of starting a lie among the voters about a candidate at an hour too late for a satisfactory retraction to be made and circulated.

Early Federal laws.—Action by Congress on corrupt practices came about fifteen years after the first laws were enacted on the subject by the pioneer states. In 1907 the Tillman act was passed which made it unlawful for any national bank or corporation organized by authority of any law of Congress, to make a money contribution in connection with any election

to a political office²⁰⁴. It also was made unlawful for any corporation whatever to make a money contribution in connection with any election at which Presidential and Vice Presidential electors and representatives in Congress were chosen and also included elections of United States senators by the state legislatures.

The next action was taken by Congress two years later, in 1909, in adoption of Section 118 of the Criminal Code, prohibiting solicitation of campaign contributions by certain officials²⁰⁵. It provided that no senator, representative, delegate or resident commissioner or employe or officer of either house of Congress, no executive, judicial, military or naval officer of the United States and no clerk or employe of any government department or establishment should directly or indirectly solicit or receive any assessment, subscription, or contribution for any political purpose whatever, from any officer, clerk or employe of the government, or from any person receiving any compensation or salary from any moneys received from the Treasury of the United States.

The McCall act for publicity of campaign contributions was passed in 1910²⁰⁶. Under this act all political committees having activities in two or more states were required within thirty days after elections at which representatives in Congress were chosen to file detailed statements with the clerk of the House as to all receipts and expenditures, with names and addresses of contributors of \$100 or more, and amounts under that figure, with names and addresses of those to whom disbursements of \$10 or more were made and the amounts under that figure, with promises in addition²⁰⁷. It also provided that all persons, firms, associations and committees, other than the political committees mentioned, expending \$50 or more in two or more states should file similar statements.

In 1911 the Rucker act was passed, which repealed part of the McCall act²⁰⁸. It provided for publicity of campaign contributions before elections, requiring statements to be filed

²⁰⁴ *Congressional Record*, 59th Cong., 1st Sess. vol. 40, pp. 591, 8163, vol. 41, pp. 1455, 1502; "Public Law No. 36, 59th Cong."

²⁰⁵ "Statutes at Large," vol. 22, p. 406.

²⁰⁶ *Congressional Record*, vol. 45, pp. 4250, 4926, 4936, 8879, 8961.

²⁰⁷ *Public Act No. 274, 61st Cong.*

²⁰⁸ *Congressional Record*, vol. 47, pp. 269, 3020, 3997.

between ten and fifteen days prior to the election and on each sixth day thereafter, as well as statements within thirty days following the election as required by the McCall act²⁰⁹. Further provision was made to include expenditures in behalf of senators as well as representatives, and the provisions of the law were similarly extended to include both primaries and conventions for the nomination of candidates for these offices²¹⁰. This act was passed before the adoption of the Seventeenth Amendment to the Constitution, providing for the popular election of United States senators, and candidates for the Senate were prohibited from contributing to the campaign funds of candidates for the legislature in their home states. Candidates were limited in expenditures to the amounts specified by the statutes of their home states, but in no case could a candidate for nomination and election to the House expend more than \$5,000, and a candidate for the Senate more than \$10,000²¹¹.

A second Rucker act, in 1912, amended the two preceding acts so that all statements as required should be made before an officer empowered to make oaths and sent by registered mail to the clerk of the House or secretary of the Senate²¹².

In 1918, Congress passed the Gerry act making it illegal to promise, offer, or give, or cause to be promised, offered, or given any money or other thing of value, or to make or tender any contract, undertaking, gratuity, obligation or security for the payment of money or for the conveyance or delivery of anything of value to any person, either to vote or to withhold his vote or to vote for or against any candidate, and to solicit, accept or receive any money or other thing of value in consideration of his vote for or against any candidate for senator or representative or delegate in Congress at any primary, general or special election²¹³.

The Newberry case.—Truman H. Newberry was nominated as the Republican candidate for the United States Senate from Michigan at the primaries in that state in 1918. He

²⁰⁹ *Public Law No. 32, 62d Cong.*

²¹⁰ *Ibid.*

²¹¹ *Ibid.*

²¹² *Ibid., No. 298, 62d Cong.*

²¹³ *Fortieth Statutes*, ch. 187, p. 1013.

filed a statement showing expenditures of \$176,568.08 in the primaries²¹⁴. He was indicted along with 134 co-defendants and tried at Grand Rapids, in 1920, on the charge of having violated the provisions of the Rucker act, limiting the expenditures in a campaign to \$10,000²¹⁵. Newberry was convicted and the case appealed to the Supreme Court. Justice McReynolds wrote the opinion of the court, three others joining in his views, reversing the conviction, holding that Congress had no right to control party primaries or conventions²¹⁶. Justice McKenna concurred upon the ground that the statute as passed before the Seventeenth Amendment was unconstitutional, but reserved the question of the power of Congress under that amendment²¹⁷. Chief Justice White filed a dissenting opinion as did Justice Pitney, in which the two remaining justices concurred, holding that Congress had the right to regulate such primaries²¹⁸.

Present Federal law.—Following the announcement by the Supreme Court of the decision in the Newberry case, considerable doubt arose in legal and political circles as to what effect the old legislation had²¹⁹. In order to remove such doubt, and to consolidate all statutes on the subject, Congress passed the Federal Corrupt Practices act of 1925, superseding all of the previous laws²²⁰. This act specifically exempted primaries and conventions from the operation of the law²²¹.

The law provides that the treasurer of every political committee having activities in two or more states must file with the clerk of the House between the first and tenth days of March, June, and September in each year and also between the tenth and fifteenth days and on the fifth day next preced-

²¹⁴ "Transcript of the Record," in "Truman H. Newberry et al. vs. U. S." 65 Sup. Ct. Rep., (L. E.) 554.

²¹⁵ Ibid.

²¹⁶ Ibid.

²¹⁷ Ibid.

²¹⁸ Ibid.

²¹⁹ Attorney-General Daugherty wrote to Representative Luce of Massachusetts on Nov. 15, 1921, giving as his opinion that the law was valid so long as elections were concerned but not for primaries. The law committee of the Republican Congressional Committee headed by Representative Ramsmyer thought that because of the qualified concurrence of Justice McKenna that possibly the law was still operative as affecting nominations for representatives in Congress. See Nixon vs. Herndon et al, U. S. Sup. Ct. (1927).

²²⁰ *Public Law No. 506, 68th Cong.*

²²¹ Ibid., sec. 302 (a).

ing the date at which a general election is to be held, at which candidates are to be elected in two or more states, and also on the first day of January, sworn statements showing the names and addresses of contributors of \$100 or more, together with amounts and dates, and the total sum of other and all contributions, as well as the names and addresses of persons to whom expenditures of \$10 or more are paid, with amounts, dates and purposes and the total sum of other and all payments²²². Every person likewise expending money other than through contributions to political committees in two or more states must file similar statements²²³.

Every candidate for senator must file with the secretary of the Senate and every candidate for representative, delegate, or resident commissioner must file with the clerk of the House, not less than ten nor more than fifteen days before and also within thirty days after the election, itemized sworn statements of all contributions to his campaign and expenditures in his behalf, as well as promises or pledges made by him and in his behalf²²⁴.

If a state prescribes a maximum amount to be expended by the candidate, this must be observed, unless it is more than the amount fixed by the act which is \$10,000, if a candidate for the Senate; \$2,500, if a candidate for the House; or an amount equal to the amount obtained by multiplying three cents by the total number of votes cast at the last general election for the office the candidate seeks, but in no event exceeding \$25,000 for the Senate or \$10,000 for the House²²⁵.

The act makes it unlawful to pledge appointment or employment for the purpose of procuring support²²⁶ and for any person to make an expenditure or cause one to be made or offered to any person to vote for or against a candidate or to withhold his vote, and likewise for any person to solicit any such expenditure²²⁷.

The act makes it unlawful for members of or candidates for either house or any other officer or employe of the government to solicit directly or indirectly any political contribution

²²² Ibid., secs. 305, 308.

²²³ Ibid., secs. 306, 308.

²²⁴ Ibid., secs. 307, 308.

²²⁵ Ibid., sec. 309.

²²⁶ Ibid., sec. 310.

²²⁷ Ibid., sec. 311.

from any such person, officer or employe²²⁸. It is also made unlawful for any national bank or corporation organized under authority of Congress to make a contribution in connection with any election at which Presidential electors or members of either house are chosen²²⁹.

Appropriate fines and terms of imprisonment are provided for persons violating the terms of the act and fines for corporations so violating²³⁰.

Policy of the Senate and House.—Article I, Section 4 of the Constitution provides:

Each House shall be the Judge of the Elections, Returns, and Qualifications of its Own Members. . .

and because of this authority so conferred it has been the policy of both houses to have referred to their elections committees or special committees certain questions involving the nominations of persons who have presented credentials as members²³¹. Although Newberry was allowed to retain his seat by a narrow margin when the Senate took up his case, he resigned following the election of 1922, when several senators who voted for him were defeated²³². More recently in the cases of Frank L. Smith of Illinois and William S. Vare of Pennsylvania, the Senate has shown that it considers it has a right to consider corrupt practices in a primary, even though there was no violation of either a Federal or a state law, but simply because of the evils which may arise from excessive expenditures²³³.

²²⁸ Ibid., sec. 312.

²²⁹ Ibid., sec. 313.

²³⁰ Ibid., sec. 314.

²³¹ "Compilation of Senate Election Cases, 1798-1913," (Washington, 1913), published as *Senate Document No. 1036, 62d Cong., 3d Sess.*, Chester H. Rowell, "A Historical and Legal Digest of all the Contested Election Cases in the House of Representatives of the United States, 1789-1901," (Washington, 1901), and the continuing compilation by Merrill Moores, "A Historical and Legal Digest of all the Contested Election Cases in the House of Representatives of the United States, 1901-1917," (Washington, 1917) give the cases in those periods and reports and hearings of the Senate Committee on Privileges and Elections and the House Elections Committees, Nos. 1, 2, and 3, since.

²³² Resignation reached the Senate on the opening day of the Third Session of the Sixty-seventh Congress.

²³³ See hearings before special committee headed by Senator James A. Reed of Missouri to investigate senatorial election contests, and debates in the Senate.

Publicity pamphlets.—A new feature of corrupt practices legislation which has recently found its way on the statute books of two Western states, North Dakota and Oregon, is that of the publicity pamphlet²³⁴.

In North Dakota, any candidate for nomination to any state or district office, in one or more counties, must file, with his picture if he wishes, a printed or typewritten statement over his signature stating the reasons why he should be nominated for the office he seeks. Each candidate may have one page on equal terms²³⁵. The rates charged are: United States senator, representative in Congress, governor, secretary of state, state treasurer and state auditor, \$100 for each page; Justice of the Supreme Court, commissioner of insurance, superintendent of public instruction, attorney general, and commissioner of labor, \$75; railroad commissioner and lieutenant-governor, \$25; state senator and representative, \$10; district judge, \$50; and county judge, register of deeds, county auditor, county treasurer, state's attorney, sheriff, clerk of court, and county superintendent of schools, \$25. Candidates for state offices may have additional pages, not to exceed three, at \$100 each. Candidates for county or legislative offices may have additional pages, not to exceed two, at \$25 each²³⁶. Forty days before the primary, the secretary of state, with whom the statements are filed, is required to complete, edit, prepare, and index the statements properly for printing. Statements filed in opposition follow those submitted in support of the candidacies, and all are placed under the respective titles of the offices for which nominations are sought. These must be returned to the secretary of state by the printer not later than twenty days before the primary²³⁷. The county auditor is required to obtain the list of all of the registered voters in each county and send the same to the secretary of state who mails pamphlets to all registered voters in the respective party primaries²³⁸.

²³⁴ Florida has a similar law (1913) while statutes passed by Montana in 1909, Wyoming in 1911 and South Dakota in 1918 were repealed in 1919, 1920 and 1921, respectively. A similar statute in Colorado has remained inoperative because of a conflicting provision of the state constitution.

²³⁵ "North Dakota," *op. cit.*, sec. 924.

²³⁶ *Ibid.*, sec. 925.

²³⁷ *Ibid.*, sec. 926.

²³⁸ *Ibid.*, sec. 927.

The publicity pamphlet law of Oregon includes both the primary and the election. Every nominee for President or Vice President, state offices, or representative in Congress is allowed four pages in the state campaign book for the election. Candidates for President and Vice President receive their pages gratis, but others pay \$100 per page. Such expenditure is not counted within the limitation of amount allowed under the corrupt practices restrictions²³⁹. Candidates for nomination, not later than thirty-five days before the primary, may submit with portraits, if they desire, reasons why they should be nominated. Each candidate is given one page and those filing are deemed the authors and publishers and upon them rests responsibility for any matter of a libelous nature²⁴⁰. The rates are the same as in North Dakota and no payment is accepted for insertions of less than a full page²⁴¹. The secretary of state must send the statements to the printer thirty-three days before the primary, and from twenty-three to seventeen days prior, to each county²⁴². The county clerks must obtain the names of all qualified primary voters at least eight days before the primary and send the lists to the secretary of state and also send each registered voter his primary pamphlet²⁴³. In the election, the party committees and independent candidates must send their statements and portraits forty days before the election, the secretary of state submitting the same to the printer thirty-eight days before. The public printer must complete his work twenty days before and the secretary of state must mail them to all registered voters ten days before²⁴⁴. All of the statements are required to be bound together, no party having more than twenty-four pages, and no independent candidate more than two, at \$50 for each page²⁴⁵.

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²³⁹ "Oregon," *op. cit.*, sec. 3953.

²⁴⁰ *Ibid.*, sec. 4114.

²⁴¹ *Ibid.*, sec. 4115.

²⁴² *Ibid.*, sec. 4116.

²⁴³ *Ibid.*, sec. 4117.

²⁴⁴ *Ibid.*, sec. 4118.

²⁴⁵ *Ibid.*, sec. 4119.

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Questions

1. Was bribery for Parliamentary elections a crime at common law in England?
2. Do the states have laws concerning bribery in elections?
3. Do many of the states have legislation against corrupt practices in elections?
4. What are the limitations in campaign expenditures, if any, provided for candidates for office in your state?
5. For what purposes may money be expended by candidates in your state?
6. From what classes of corporation are campaign contributions prohibited by state legislation?
7. What was the Tillman act?
8. What was the next action by Congress on corrupt practices following the Tillman act?
9. What was the McCall act?
10. What was the Rucker act of 1911?

11. Discuss the case of Truman H. Newberry.
12. How does the present Federal law differ from the Rucker act?
13. May the House or Senate reject the credentials of one who has expended an unwarrantedly large amount of money for a nomination even though no specific law has been violated?
14. What are publicity pamphlets?

CHAPTER XX

THE BALLOT

Early balloting.—While *vive voca* voting prevailed in the New England town meetings, that section adopted ballots for elections prior to the Revolution, as did Delaware, Pennsylvania, and South Carolina. The ballots thus used were written slips of paper, often brought to the polls by the voters themselves. The written ballots early gave way to the printed ballot in use in all of the states prior to the Civil War, except Missouri, which adopted it in 1863, Virginia, which abandoned *vive voca* voting in 1867, and Kentucky, which finally fell in line in 1891. The printed ballot was furnished by the party organization or the individual candidate. It left little opportunity for the voter to cast anything but a straight ticket. If he did so he would have to cross out one name and write in another. This could be done with difficulty and with little secrecy. The entire system lent itself to corruption for the voter could be watched as he went into the voting place and deposited the ballot given him by the party worker. Sometimes, if a voter did not feel he could consistently support all of a ticket, he would tear off part of a ballot and deposit the remainder. Many Democrats did this in 1872 when Horace Greeley was the nominee for President. He had fought their party so long that they did not relish the Liberal Republican candidate's endorsement. Hence in the parlance of the time they voted a "bob tailed" ticket. In many states this kind of ballot still is recognized in minor elections. In Illinois, for example, candidates for road commissioner furnish their own ballots.

Australian ballot.—The Australian ballot was adopted first in this country in February, 1888, by Kentucky for Louisville elections. Here the names of the candidates were grouped in alphabetical order under the name of the office

INSTRUCTIONS

1. Mark only with a pencil having black lead.
2. To vote for a candidate whose name is printed on this ballot make a single cross X mark in one of the squares to the right of an emblem opposite his name.
3. To vote for a person whose name is not printed on this ballot write his name on a blank line under the names of the candidates for that office.
4. Any other mark than the cross X mark used for the purpose of voting or any erasure made on this ballot is unlawful.
5. If you tear or deface, or wrongly mark this ballot, return it and obtain another.

	Vote for one !	President	1
		LOUIS A. HICKS	Citizens
		HENRY WALDINGER	Peoples
			

	Vote for two !	Trustee for Two Years	2
		FRANK H. KONDLA	Citizens
		GEORGE F. CORNWELL	Citizens
		H. WESLEY ERICKSON	Peoples
		BODO A. MOELLER	Peoples
			
			

	Vote for one !	Police Justice	3
		ARTHUR SNYDER	Citizens
		ARTHUR J. CASE	Peoples
			

Office Block or Massachusetts Type of Ballot Used in Local
Election at Valley Stream, New York, March 15, 1927.

INSTRUCTIONS.—First mark a Cross (X) in the circle under the Democratic party emblem.
If you desire to vote for any candidate on any other ticket, place a Cross (X) in the Square at the right of the name of such candidate. But first mark the Cross in the circle under the Democratic emblem. ☐

INSTRUCCIONES.—Primero ponga una Cruz (X) en el círculo bajo la emblema del partido Demócrata. Si usted desea votar por cualesquier candidato de cualesquier otro partido ponga una cruz (X) en el Cuadro ☐ a la derecha del nombre de el candidato pero primero ponga una Cruz (X) en el círculo debajo la emblema Demócrata.



REPUBLICAN TICKET Boleto Republicano

FOR REPRESENTATIVE IN CONGRESS PARA REPRESENTANTE DEL CONGRESO	☐
JUAN A. A. SEDILLO	☐
FOR GOVERNOR PARA GOBERNADOR	☐
R. C. DILLON	☐
FOR LIEUTENANT GOVERNOR PARA VICE GOBERNADOR	☐
EDWARD SARGENT	☐
FOR SECRETARY OF STATE PARA SECRETARIO DE ESTADO	☐
MARY BARTILINO	☐
FOR STATE AUDITOR PARA AUDITOR DE ESTADO	☐
MIGUEL A. OTERO, JR.	☐
FOR STATE TREASURER PARA TESORERO DE ESTADO	☐
NATHAN JAFFA	☐
FOR ATTORNEY GENERAL PARA PROCURADOR GENERAL	☐
R. P. BARNES	☐
FOR SUPT. OF PUBLIC INSTRUCTION PARA SUPT. DE INSTRUCCION PUBLICA	☐
LOIS RANDOLPH	☐
FOR COMMISSIONER OF PUBLIC LANDS PARA COMISIONADO DE TERRENOS PUBLICOS	☐
E. P. PANKEY	☐
FOR JUSTICE OF THE SUPREME COURT PARA JUEZ DE LA CORTE SUPREMA DEL ESTADO	☐
JOHN C. WATSON	☐
FOR MEMBER STATE CORPORATION COMMISSION (LONG TERM) PARA MIEMBRO DE LA COMISION DE CORPORACIONES DEL ESTADO (TERMINO LARGO)	☐
HUGH H. WILLIAMS	☐
FOR MEMBER STATE CORPORATION COMMISSION (SHORT TERM) PARA MIEMBRO DE LA COMISION DE CORPORACIONES DEL ESTADO (TERMINO CORTO)	☐
MAX FERNANDEZ	☐



DEMOCRATIC TICKET Boleto Demócrata

FOR REPRESENTATIVE IN CONGRESS PARA REPRESENTANTE DEL CONGRESO	☐
JOHN MORROW	☐
FOR GOVERNOR PARA GOBERNADOR	☐
ARTHUR T. HANNETT	☐
FOR LIEUTENANT GOVERNOR PARA VICE GOBERNADOR	☐
LORENZO DELGADO	☐
FOR SECRETARY OF STATE PARA SECRETARIO DE ESTADO	☐
JENNIE FORTUNE	☐
FOR STATE AUDITOR PARA AUDITOR DE ESTADO	☐
SABINO OLIVAS, JR.	☐
FOR STATE TREASURER PARA TESORERO DE ESTADO	☐
WARREN R. GRAHAM	☐
FOR ATTORNEY GENERAL PARA PROCURADOR GENERAL	☐
ROBERT C. DOW	☐
FOR SUPT. OF PUBLIC INSTRUCTION PARA SUPT. DE INSTRUCCION PUBLICA	☐
AURORA L. WHITE	☐
FOR COMMISSIONER OF PUBLIC LANDS PARA COMISIONADO DE TERRENOS PUBLICOS	☐
E. B. SVOPE	☐
FOR JUSTICE OF THE SUPREME COURT PARA JUEZ DE LA CORTE SUPREMA DEL ESTADO	☐
C. R. BRICE	☐
FOR MEMBER STATE CORPORATION COMMISSION (LONG TERM) PARA MIEMBRO DE LA COMISION DE CORPORACIONES DEL ESTADO (TERMINO LARGO)	☐
AL ROUGHTON	☐
FOR MEMBER STATE CORPORATION COMMISSION (SHORT TERM) PARA MIEMBRO DE LA COMISION DE CORPORACIONES DEL ESTADO (TERMINO CORTO)	☐
ELIOT TRUJILLO	☐



SOCIALIST TICKET Boleto Socialista

FOR REPRESENTATIVE IN CONGRESS PARA REPRESENTANTE DEL CONGRESO	☐
E. E. DENNISTON	☐
FOR GOVERNOR PARA GOBERNADOR	☐
G. M. WALKER	☐
FOR LIEUTENANT GOVERNOR PARA VICE GOBERNADOR	☐
C. A. RODELL	☐
FOR SECRETARY OF STATE PARA SECRETARIO DE ESTADO	☐
MRS. LETTIE RICHARDSON	☐
FOR STATE AUDITOR PARA AUDITOR DE ESTADO	☐
W. T. FLOWERS	☐
FOR STATE TREASURER PARA TESORERO DE ESTADO	☐
SAMUEL BUTLER	☐
FOR ATTORNEY GENERAL PARA PROCURADOR GENERAL	☐
FOR SUPT. OF PUBLIC INSTRUCTION PARA SUPT. DE INSTRUCCION PUBLICA	☐
T. C. RIVERA	☐
FOR COMMISSIONER OF PUBLIC LANDS PARA COMISIONADO DE TERRENOS PUBLICOS	☐
GEO. LAWRENCE	☐
FOR JUSTICE OF THE SUPREME COURT PARA JUEZ DE LA CORTE SUPREMA DEL ESTADO	☐
FOR MEMBER STATE CORPORATION COMMISSION (LONG TERM) PARA MIEMBRO DE LA COMISION DE CORPORACIONES DEL ESTADO (TERMINO LARGO)	☐
R. B. COCHRAN	☐
FOR MEMBER STATE CORPORATION COMMISSION (SHORT TERM) PARA MIEMBRO DE LA COMISION DE CORPORACIONES DEL ESTADO (TERMINO CORTO)	☐

Portion of Party Column or Indiana Type of Ballot Used in State Election in New Mexico, November 2, 1926.

which they were seeking. As in England and the English colonies there was no reference to political affiliations. In May, 1888, Massachusetts enacted an Australian ballot law in which it was provided that the name of the candidate should be followed by the name of his party. This was the office-group type similar to the one in use in Louisville. The following year, Indiana adopted an Australian ballot but under a different plan, using the party column, with all the candidates of a party in a single column. Under it, the names run parallel with the candidates for office appearing at the same distance from the top as their competitors on the other tickets. A straight ticket may be voted by placing a cross in the circle by the party name or emblem at the head of each ticket. In Massachusetts, a straight ticket may be voted only by placing crosses in the appropriate places by the names of each candidate bearing the party name. The Australian ballot now has been adopted in all but four states. In Georgia, it is effective, by act of 1922, in any county when recommended by two successive grand juries.

States which have followed Massachusetts in the adoption of her plan of ballot are: Arkansas, California, Florida, Kansas, Maryland, Minnesota, Mississippi, Nevada, New York, Oregon, Tennessee, and Virginia. In New York, the party emblem as well as designation appears by the name of each candidate. Party names are omitted in Florida, Mississippi, Tennessee, and Virginia. Names are alphabetical in Tennessee, but in the three other states the names of the Democratic candidates come first. Colorado, Nebraska, and Pennsylvania have a modified form of the Massachusetts ballot which enables the voter to mark a straight ticket by a cross in a square at the top of the ballot. The Indiana ballot with emblems at the top, has been adopted by twelve states: Alabama, Delaware, Kentucky, Louisiana, Michigan, New Hampshire, New Mexico, Ohio, Oklahoma, Rhode Island, Utah, and West Virginia; and thirteen, which have no party emblem: Arizona, Connecticut, Idaho, Illinois, Iowa, Maine, Missouri, North Dakota, South Dakota, Texas, Vermont, Washington, and Wisconsin. A modified form of the Indiana ballot which does not provide a place for marking a single cross for straight ticket voting, has been adopted in Georgia, Montana, New Jersey, and Wyoming.

Republican Primary Election Ballot

WESLEY TOWNSHIP

County of Kossuth, State of Iowa. Primary Election held on the 7th of June, 1926

STATE OFFICES	DISTRICT OFFICES	COUNTY OFFICES	TOWNSHIP OFFICES
UNITED STATES SENATOR (Vote For One)	REPRESENTATIVE IN CONGRESS 18th DISTRICT (Vote For One)	COUNTY AUDITOR (Vote For One)	JUSTICES OF THE PEACE (Vote For Two)
☐ L. E. EICKELBERG	☐ L. J. DICKINSON	☐ BERTHA E. JOHNSON	☐ IRVING A. GERDES
☐ DAN B. REARDON	☐	☐	☐
☐ SMITH W. BROOKHART	STATE REPRESENTATIVE 25th DISTRICT (Vote For One)	COUNTY TREASURER (Vote For One)	☐
☐ HOWARD J. CLARK	☐ G. W. PATTERSON	☐ HARRY N. KRUSE	CONSTABLES (Vote For Two)
☐ ALBERT B. CUMMINS	☐ M. P. WEAVER	☐	☐
☐	☐	CLERK OF DISTRICT COURT (Vote For One)	☐
GOVERNOR (Vote For One)		☐ F. R. HOPKINS	TOWNSHIP TRUSTEE For Unexpired Term Commencing 1928 to 1932 Inclusive (Vote For One)
☐ JOHN HAMMILL		☐	☐ OLE K. FLOM
☐		COUNTY SHERIFF (Vote For One)	☐
LIEUTENANT GOVERNOR (Vote For One)		☐ L. E. HOVEY	TOWNSHIP TRUSTEES Term Beginning January 3, 1927 (Vote For One)
☐ W. C. EDSON		☐	☐
☐ CLEM F. KIMBALL		COUNTY RECORDER (Vote For One)	Term Beginning January 3, 1928 (Vote For One)
☐ JOHN R. PRICE		☐ LAURA PAINE	☐ OLE K. FLOM
☐ RAY P. SCOTT		☐ HARRIET V. WARBURTON	☐
☐		☐	TOWNSHIP CLERK (Vote For One)
SECRETARY OF STATE (Vote For One)		COUNTY ATTORNEY (Vote For One)	☐ FRED A. DIEKMANN
☐ WALTER C. RAMSAY		☐ E. J. VAN NESS	☐
☐		☐	MEMBER COUNTY CENTRAL COMMITTEE Vote for One Committeeman and one Committeewoman
AUDITOR OF STATE (Vote For One)		COUNTY CORONER (Vote For One)	☐ WM. W. STURDIVANT
☐ J. W. LONG		☐ W. E. LAIRD	☐
☐ J. C. McCLUNE		☐	☐
☐		SUPERVISOR—THIRD DISTRICT Term Beginning January 3, 1928 (Vote For One)	DELEGATES TO COUNTY CONVENTION (Vote For Six)
TREASURER OF STATE (Vote For One)		☐ OLAF FUNNEMARK	☐
☐ RAY E. JOHNSON		☐	☐
☐			☐
ATTORNEY GENERAL (Vote For One)			☐
☐ JOHN FLETCHER			☐
☐ WALTER A. NEWPORT			☐
☐ VERNON SEEBURGER			☐
☐			☐
SECRETARY OF AGRICULTURE, (Vote For One)			☐
☐ M. G. THORNBURG			☐
☐			☐
SUPERINTENDENT OF PUBLIC INSTRUCTION (Vote For One)			☐
☐ MAY E. FRANCIS			☐
☐ AGNES SAMUELSON			☐
☐			☐
RAILROAD COMMISSIONERS (Vote For Two)			☐
☐ E. B. ARNOLD			☐
☐ WILLIAM R. BLAKE			☐
☐ DWIGHT LEWIS			☐
☐ CHARLES WEBSTER			☐
☐			☐

Iowa Republican Ballot Used in Wesley Township,
Kossuth County, June 7, 1926.

Texas provides that a voter draws a line through the names of all he opposes. This is used by other states in certain local elections.

The order in which the parties appear on the ballot may be alphabetical, as provided by law, or by the choice of the election officials who order the ballots to be printed.

The Australian ballot does not prevent independent candidacies, which, however, get on the ballot through the petition of the required number of voters. In this way, too, new parties ordinarily secure their positions on the ballot. In Wisconsin, the Democratic party ordinarily is required to get its candidates on the ballot by petition, being unable to poll a certain required percentage in the primary.

Residence requirements.—The residence requirements to render a person eligible to vote vary from three months in Maine to two years in Rhode Island and several of the Southern states, where a particularly long time is set in order to make it more difficult for negroes to qualify. Generally, a shorter time is required for the county or precinct. The requirements by states follow:

- Alabama: state, 2 years; county, 1 year; precinct, 3 months.
- Arizona: state, 1 year; county and precinct, 30 days.
- Arkansas: state, 1 year; county, 6 months; precinct, 1 month.
- California: state, 1 year; county, 90 days; precinct, 30 days.
- Colorado: state, 1 year; county, 90 days; precinct, 10 days.
- Connecticut: state, 1 year; town, 6 months.
- Delaware: state, 1 year; county, 3 months; district, 30 days.
- Florida: state, 1 year; county, 6 months.
- Georgia: state, 1 year; county, 6 months.
- Idaho: state, 6 months; county, 6 months.
- Illinois: state, 1 year; county, 90 days; precinct, 30 days.
- Indiana: state, 6 months; township, 60 days; precinct, 30 days.
- Iowa: state, 6 months; county, 60 days.
- Kansas: state, 6 months; precinct, 3 months.
- Kentucky: state, 1 year; county, 6 months; precinct, 60 days.
- Louisiana: state, 2 years; parish, 1 year; precinct, 3 months.
- Maine: state, 3 months; precinct, 3 months.
- Maryland: state, 1 year; district, 6 months.
- Massachusetts: state, 1 year; city or town, 6 months.
- Michigan: state, 6 months; precinct, 20 days.
- Minnesota: state, 6 months; precinct, 30 days.
- Missouri: state, 1 year; precinct, 60 days.
- Montana: state, 1 year; precinct, 60 days.
- Nebraska: state, 6 months; county, 40 days.
- Nevada: state, 6 months; county, 30 days.
- New Hampshire: town, 6 months.
- New Jersey: state, 1 year; county, 5 months.

New York: state, 1 year; county, 4 months; precinct, 30 days.
North Carolina: state, 1 year; district, 4 months.
North Dakota: state, 1 year; county, 6 months; precinct, 90 days.
Ohio, state: 1 year; county, 30 days; city, 20 days.
Oklahoma: state, 1 year; county, 6 months; precinct, 30 days.
Oregon: state, 6 months; precinct, 30 days.
Pennsylvania: state, 1 year; precinct, 2 months.
Rhode Island: state, 2 years; town or city, 6 months.
South Carolina: state, 2 years; county, 1 year; precinct, 6 months.
South Dakota: state, 1 year; county, 6 months; precinct, 90 days.
Tennessee: state, 1 year; precinct, 6 months.
Texas: state, 1 year; precinct, 6 months.
Utah: state, 1 year; county, 4 months; precinct, 60 days.
Vermont: state, 1 year; precinct, 3 months.
Virginia: state, 2 years; precinct, 3 months.
Washington: state, 1 year; county, 70 days; precinct, 10 days.
West Virginia: state, 1 year; county, 60 days.
Wisconsin: state, 1 year; precinct, 30 days.
Wyoming: state, 1 year; precinct, 60 days.

Registration.—Registration is the process whereby an applicant for voting has his name entered on the polling books to enable him to cast a ballot on election day. In the early history of the country, when communities were small, registration was unnecessary. A voter presented himself for a ballot and if objections were made to his receiving it, he made an affidavit as to his residence and presented proof of his qualifications from other residents. Massachusetts introduced registration about 1800. There the town assessors prepared a list, subject to revision by the selectmen, of those qualified to vote. The other New England states in time adopted similar provisions. This was non-personal registration, since it was not necessary for the applicant to appear himself to have his name entered on the list, although in many cases he must have done so. Personal registration is where the applicant himself is required to be present before the proper authorities and answer certain questions as to his age and residence to qualify him to have his name placed on the polling list. The first states to adopt personal registration laws were New York and California, in 1866. Registration, too, may be either periodic or permanent. Under periodic registration, it is effective for a specified length of time, from one year in New York to ten years in South Carolina. Under permanent registration, once a voter's name is on the lists it remains there until his eligibility ceases by death, removal, or other reason specified by statute. Fourteen states provide for permanent

registration alone, twenty-four for periodic alone, and seven for periodic registration in the larger cities. Forty states require personal registration universally in certain parts. The constitutions of Arkansas and Texas prohibit registration as a necessary prerequisite for voting. Their poll tax requirements make almost as good a safeguard. A Nebraskan law for registration was declared unconstitutional¹ as was an earlier Wisconsin act.²

Registration is considered much more essential for the protection of the ballot in the cities than in the country. New York recognizes this principle in requiring personal registration only in cities of 5,000 and over. Illinois allows cities to adopt the personal registration law which is not available for rural areas in which there is no demand for it. The adoption of personal registration often has a partisan political effect.

In New York, the law operates to the advantage of the Republicans because the Democratic strength is principally in the cities, and the Republicans in the rural counties. This personal registration then keeps down the vote in the cities. Cairo, Illinois, a city of about 15,000, held its first party election under the personal registration law in 1910. At the election two years before it had been possible to swear in voters and there is always a large transient river negro population there. The Republican vote fell off about 1,000, showing that many unqualified negroes had voted under the loose way by which, under the older Illinois law, an applicant may establish his residence on election day by his own affidavit and that of some householder in the precinct. Where there is such a large "floating" population, often the minority party profits by the personal registration, as the majority party had the advantage of the "floating" population's vote or would have excluded it through the dominance of its election officials.

In places where personal periodic registration is in effect, it is customary for the polls to be open two or three days. Registration ordinarily is at the same place as the voting later will be conducted. The names of the registrants are checked over by designated election officials and if they are doubtful as to legality of their claims they will be sent "suspect" notices, and must defend their rights. Ordinarily the statutes provide

¹ *State vs. Morehead*, (1904) 95 Neb. 80.

² *Dells vs. Kerner*, (1900) 49 Wisc., 555.

for persons to appear before the board of election commissioners or other authorities to have their addresses changed when they have moved from one precinct to another before registration dates.

Absentee voting.—Absentee voting was introduced in this country during the Civil War when California, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, New Hampshire, Ohio, Pennsylvania, Vermont, and Wisconsin passed laws enabling the soldiers of the Union Army to vote. In the Presidential election of 1864, Lincoln received 116,887 of these soldier votes to 37,748 for McClellan. In not a single state was the soldier vote responsible for the way the electoral vote was cast. The soldier ballots for Kansas and Minnesota arrived too late to be counted that year.³

The first state to pass a modern absentee law was Vermont, in 1896, followed by Kansas, in 1901. Nothing further was done until 1913. After that, the movement acquired great acceleration when the sentiment in behalf of the service men during the World War became responsible for the legislation in several states. At the present time forty-two states provide for voting by mail. There are twenty-four states that grant absentee voting to all qualified voters temporarily absent on election day in any state and at both the primary and general elections. They are Alabama, California, Idaho, Illinois, Iowa, Maine, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Tennessee, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. Indiana had such a law which was repealed in 1927 because of frauds practiced under it, and Pennsylvania one which was declared unconstitutional in 1923. Six additional states authorize voting by mail at the fall general elections: Arizona, Delaware, Massachusetts, New York, Texas, and Utah. A similar act in Kentucky was declared unconstitutional in 1918; while a New Jersey law was repealed in 1927 because of frauds. These thirty states extend the absentee voting privileges to all duly qualified voters complying with the state registration laws. In some of the states, including Arizona, California, Illinois, Iowa, Michigan, Minnesota, Mississippi, Missouri,

³ Stanwood, *op. cit.*, vol. i, p. 307.

Nebraska, North Carolina, North Dakota, Ohio, Oregon, and Tennessee, registration may be made in like manner by mail. The Iowa law, a model for facilitating such voting, permits registration at the time application is made for the ballot. Ordinarily the absentee writes to the county clerk, county auditor, or proper election officials during the thirty days preceding the election, stating that he will be absent from his home precinct, and applying for an official ballot. The official applied to checks up the applicant's statement and registration, and forwards an affidavit blank and official ballot. The absentee voter goes before a notary, postmaster, clerk of a court, or other official designated to take oaths and employ an official seal, signs the affidavit, marks his ballot in the presence of such officials, and forwards it by mail in time for the election.

Seven additional states, Colorado, Florida, Kansas, Louisiana, Missouri, New Mexico, and Oklahoma, grant absentee voting to those absent from their home precincts but located elsewhere in the same state on election day. Absentee voters in these states obtain a certificate of registration from the county or precinct registrar, as the case may be, and are entitled to cast their ballots at any polling place in the state on election day, after making the necessary affidavit upon presentation of the registration certificate. Kansas also grants the privilege to employees of the United States government.

In four states, Arkansas, Maryland, New Hampshire and Rhode Island, the absentee voting privilege is restricted to voters in the naval and military service of the United States or of the state. In Georgia, absentee voting is extended to voters in the civil or military service of the United States. In Connecticut and South Carolina, absentee voting was allowed in military service during the World War, but now is not effective.

No figures are available to show the number of absentee ballots that have been cast in recent years. In Washington, where many employees of the United States government reside and where there is no local franchise, both parties maintain headquarters during campaigns for the accommodation of these absentees. At the Republican headquarters in 1924, about 42,000 ballots were prepared for voting, and in 1926, about 25,000. During the latter year enough absentees in Washington voted for Representative Hays B. White of the

sixth Kansas district, to accomplish his re-election, after the majority of the resident voters had indicated their preference for his opponent.

Conduct of the election.—Election boards which operate in the different precincts throughout the county ordinarily are composed of three judges and two or three clerks. The party polling the majority vote in the precinct in the last Presidential, gubernatorial, or other specified election has the appointing power of two of the judges, and the other party of one. This is not the universal rule, for in Illinois cities, the minority party on the board of election commissioners chooses two judges in all of the odd numbered precincts, and the majority party in the even numbered. The clerks also are appointed from both parties. In some of the Southern states all of the election officials are Democrats.

Each party with candidates on the ticket is entitled to challengers both for registration and for election day. There is an inside challenger who sits in the polling place and checks the names of those who have voted and challenges those whom he hopes to have disqualified. Often there is an outside challenger, too, who is allowed up to the door of the polling place and there can communicate with his party challenger inside. Others, except officials and those entering and leaving, are not permitted to loiter in or near the polling place.

The names of the qualified voters are kept on an official roster and as each person presents himself for a ballot his name is checked off. He then secures a ballot from one of the judges, retires to a booth where he marks the paper behind a curtain and without the knowledge of anyone on the outside. He then is expected to fold his ballot with its number or the initials of the judge in view, place it in the ballot box himself, or hand it to an election official who does. He then leaves the polling place.

At the appointed time the polls are closed. No one is permitted by law to be inside the polls except the election officials, watchers appointed by the party organizations to supervise the count, and sometimes candidates. The watchers may challenge any ballot which they believe is marked improperly. It is customary for convenience in making the count to divide the ballots in piles. All of the straight tickets of one party are placed in one group. All of the straight tickets of an-

other party are placed in another pile, and so on until all straight tickets are together. Then the scratched tickets are placed in another pile. In most states the judges call out the ballots and checks are placed alongside the names of the candidates in columns of five each. As each fifth vote is marked, the clerks say, "tally," showing that their count is the same. The straight tickets are entered first which is the shortest part of the work, and then the scratched tickets are called out, name by name, as the voter has indicated his preferences, all of the way down. When the counting is completed, the totals are made, and the judges and clerks sign the returns. After the count, the ballots are either placed in a bag or in a box. If in a bag, they are sealed, and an opportunity is given for the judges and clerks to sign so that the bag may not be opened without breaking the seal and tearing the paper which has their signatures thereon. If placed in a box, it is locked and the key given to the proper custodian. Under a law adopted in New Mexico in 1927, two locks are placed on each box, a judge of one party has a key to one, and a judge of the other party to the other. The county clerk furnishes the keys, but fraud even here could be practiced in the event of a recount, since the custodian of the ballots could have duplicate keys made. The ballot bags or boxes are then taken to the board of election commissioners or the county clerk, where the returns are presented. It then devolves upon the officials to add the returns from the different precincts and issue certificates of election to the ones who received the necessary pluralities. Under the laws of all the states, ballots must be preserved in these boxes for a sufficient length of time, specified by statute, before they may be destroyed. This gives ample time for a defeated candidate to file a petition for a recount and secure a court order to have the ballots preserved until there is no further need for holding them.

Ballot frauds.—A varied system of ballot frauds has arisen in American politics. One of the best known is ballot box "stuffing," which generally takes place where there is collusion between the judges of the elections and the clerks. Perhaps the officials of the party not benefiting by the transaction only have been bribed, as the party bribing arranged for the appointment of men as its own representatives who were willing to enter into any corrupt scheme with no more compensation

than the satisfaction of party advantage. Again, it might have necessitated bribing the entire board, since there might have been no apparent benefit to any to run the risk of penitentiary sentences unless financially benefited by taking the chance. Boxes are "stuffed" when a great many more ballots than qualified voters are marked and placed in the ballot box with the connivance of the election officials. Then if a recount is made, the actual marking of the ballots bears out the original returns. However, the returns may be thrown out as in excess of those voting. Often when a box is "stuffed," the returns of that precinct are held out as long as possible in order to ascertain from party leaders just how large a majority is needed in the precinct.

The changing of ballots often takes place as the result of collusion between election officials. When this is done, the number of ballots counted, actually tallies with the number who voted. Sometimes an active election judge may be able to accomplish this without the knowledge of the other members of his board.

A favorite device used in Philadelphia politics for many years was a small piece of lead pencil placed in a prepared cavity on the judge's ring along the palm side of his hand. The judge could be counting the ballots, while also placing additional markings on them. This is safer than "stuffing," since a recount will not disclose a discrepancy in the number cast, and there is no danger of the returns of the precinct being disregarded unless there is proof of the illegal work.

Sometimes the returns are falsified without changing the ballots. A recount would disclose this. A simple method of bribery is by the voter swearing that he needs assistance in the marking of his ballot. Then a judge of each party accompanies him to the booth and one of the judges when he leaves the booth signals to the party worker on the outside, perhaps a challenger, that he voted the ticket and should be paid, or did not vote it, and hence should not get the promised bribe. Many voters who accept bribes refuse to do this. They attempt to maintain a standard of honesty that they will vote the way they are purchased to vote and resent any imputations to the contrary. Rather than offend this class, the party worker ordinarily will take a chance and pay the bribe.

The "endless chain" is one of the most effective schemes

ever devised for corrupting the electorate with virtual certainty that there is no risk of any money being paid without votes being given in return. Under this plan the party worker secures an extra ballot. Perhaps he gets it from the printer, perhaps from the county clerk, or from one of the election officials when he goes in to vote. When each person is bribed he is given a marked ballot and told to deposit that and bring out the one handed him which will be marked and given to another bribed voter who repeats this performance. This is not possible where coupons with numbers are attached to the ballots, as in New Jersey.

Many states require that the initials of one of the election judges be placed on the outside of a ballot. A dishonest election judge may neglect to place his initials on the ballots he hands to opposition voters, and the tickets will be thrown out as defective when the count is made.

In communities where there is compulsory registration a man known to be a qualified voter will be paid to stay away from the polls. Most politicians, however, will take a chance. They prefer to allow the bribe taker to vote and hope that he will do the "square" thing by them.

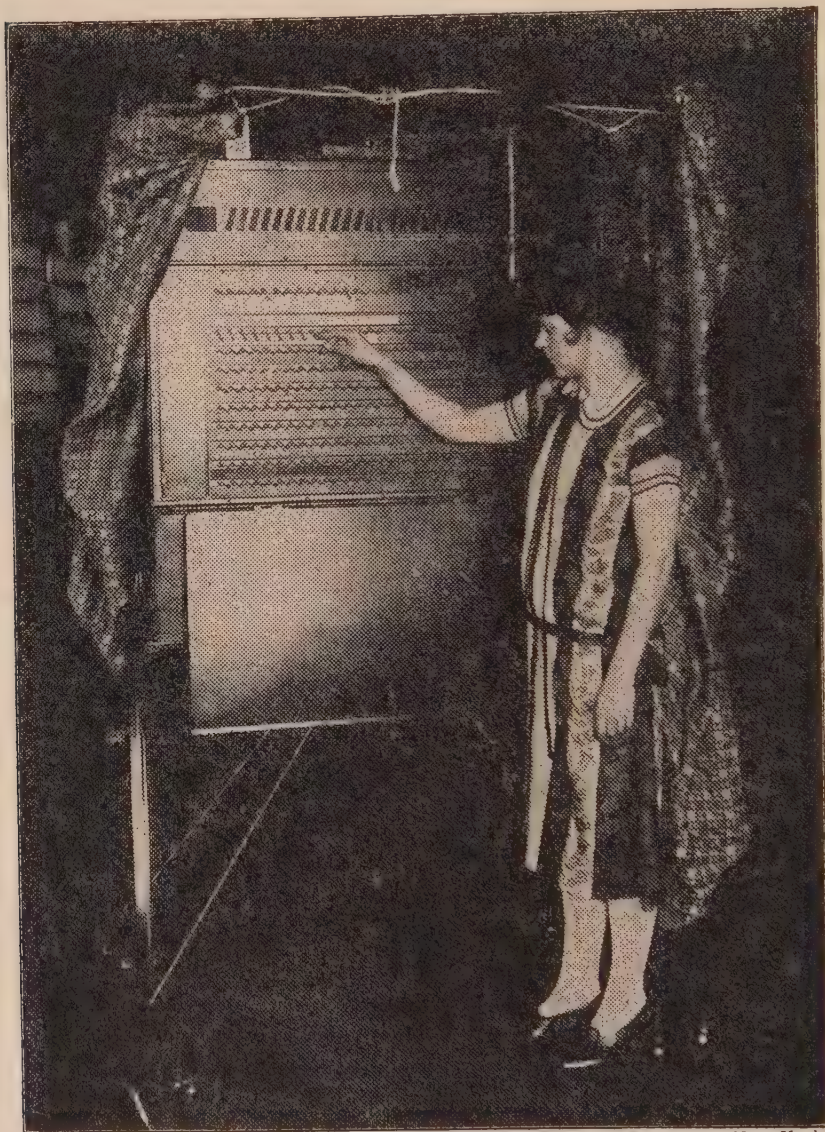
"Repeaters" are becoming less common as laws for compulsory registration increase. In larger communities, when voters could be sworn in on election day, it was no uncommon practice for party leaders to send men from precinct to precinct to increase the number of votes for the ticket.

Distinguishing marks on a ballot invalidate it. In other words, if a bribed voter places a certain check on a ballot other than the ones necessary to mark his ticket, it will, if called up and challenged, be thrown out on recount. A justice of the supreme court of Illinois in private conversation once divulged a plan which obviates this difficulty. In states providing places for a mark to vote a straight ticket, it is held that a ballot is not invalidated if the voter also marks a cross in a square in front of some candidate's name on the same ticket. Bribed voter No. 1 could be told to place a cross in the circle at the head of the ticket and also one in the square in front of the name of the candidate for governor. Voter No. 2 could be directed to put the cross in the circle at the top and also in the square in front of the candidate for lieutenant-governor, and so on down the ticket. Then if those possibilities of com-

binations were exhausted, a voter could put a cross in the circle and the first two squares, and the next one in the circle and the second two squares, etc. When the votes were counted after the polls closed, the party watcher could check off all of these combinations and a voter who had done as requested would be given his bribe.

Often voters come outside the polling booths with their ballots folded improperly and then attempt to change them in the presence of the party challenger who sees how the man voted. Ordinarily a ballot is voided when exposed, but in the excitement of election day, this requirement often is overlooked.

Voting machines.—The use of voting machines in elections may do much to prevent ballot frauds. The voting machine is installed in a booth behind a curtain, from which the view must be shut off before the voter proceeds to indicate his choices. The voter pulls down pointers over the names of the candidates for whom he desires to vote. In some cases it is possible for him to pull down a pointer marking a straight ticket. As the ballot is cast, an automatic tabulator records it and when the machine is unlocked at the end of the day, the total vote is revealed. It is impossible for a defective ballot to be cast. Congress and nineteen states have authorized the use of voting machines. In nine of the states where authorized, Massachusetts, Illinois, Maine, New Hampshire, Virginia, Arkansas, Arizona, Oregon, and Maryland, none has been installed. In the last two some interest is being shown toward their introduction in the cities. Machines are now used in New York, Connecticut, Washington, Indiana, Iowa, Michigan, Wisconsin, Minnesota, Montana, and California. Pennsylvania will vote on a constitutional amendment authorizing their adoption in 1928, and Rhode Island, which once had voting machines but repealed the law in 1921 as did Colorado, when they were not in the present perfected shape, also may adopt them. Many cities in Michigan, Minnesota, and Wisconsin discarded the machines several years ago because of imperfections, which since then have been righted, as have changes in the election laws which nullified their advantages. The biggest victory for the machines has been their recent installation in New York City after extended litigation in which the board of election commissioners and the Democratic



Courtesy of Automatic Registering Machine Co., Inc., Jamestown, New York.
Type of Voting Machine Used in New York City.

organization opposed their adoption. When their introduction has been completed there, more than 80 per cent of the population of the state will use them.⁴

⁴T. David Zuckerman, "The Voting Machine Extends Its Territory," in *American Political Science Review*, vol. xxi, (August, 1927), No. 3, pp. 603-610.

With the use of voting machines there is no necessity for delay in sending in election returns, and these machines are mechanically so perfected that it is impossible to change the count after the cover of the tabulator has been removed at the end of the day's voting. The vote necessarily must be counted as recorded.

By the use of the machine, the number of election districts with paid officials may be reduced greatly, although where compulsory registration is required this would not be to such an extent as might be expected. The machine also makes unnecessary the printing of large quantities of ballots. Instead, only enough markers with the names of the candidates are printed for use under the pointers. The principal objection which has been offered is that there is no assurance to the voter that his vote is effective as intended, but this is true even where paper ballots are used, since his ballot may not be counted as he marked it.

Short ballot movement.—The short ballot principle was the cardinal aim of the National Short Ballot Organization which was formed in 1909. It was consolidated with the National Municipal League in 1921. The reform is explained by the latter organization as follows:

"The dangerously great power of politicians in our country is not due to any peculiar civic indifference of the people, but rests on the fact that we are living under a form of democracy that is so unworkable as to constitute in practice a pseudo-democracy. It is unworkable because—

"First—It submits to popular election offices which are too unimportant to attract (or deserve) public attention, and,

"Second—It submits to popular election so many offices at one time that many of them are inevitably crowded out from proper public attention, and,

"Third—It submits to popular election so many offices at one time as to make the business of ticket making too intricate for popular participation, whereupon some sort of private political machine becomes an indispensable instrument in electoral action.

"Many officials, therefore, are elected without adequate public scrutiny, and owe their selection not to the people, but to the makers of the party ticket, who thus acquire an influence that is capable of great abuse.

"The SHORT BALLOT principle is—

"First—That only those offices should be elective which are important enough to attract (and deserve) public examination.

"Second—That very few offices should be filled by election at one time, so as to permit adequate and unconfused public examination of the candidates, and so as to facilitate the free and intelligent making of original tickets by any voter for himself unaided by political specialists.

"Obedience to this fundamental principle explains the comparative success of democratic government in the cities of Great Britain and other foreign democracies, as well as in Cincinnati, Dayton, and other American cities that have council-manager plan.

"The application of this principle should be extended to all cities, counties and states."⁵

Advocates of the short ballot point out what undoubtedly is true, that the vast majority of citizens vote blindly. This is illustrated by a questionnaire submitted to voters from the independent twelfth assembly district of Brooklyn immediately after an election as follows:

Do you know the name of the new state treasurer just elected? Replied "No," 87%.

Do you know the name of the present state treasurer? Replied "No," 75%.

Do you know the name of the new state assemblyman for this district? Replied, "No," 70%.

Do you know the name of the defeated candidate for assemblyman in this district? Replied, "No, 80%. Knew both of them, 16%.

Do you know the name of the surrogate of this county? Replied, "No," 65%.

Do you know the name of your alderman? Replied, "No," 85%.

Are you in active politics? Replied, "No," 96%.⁶

A large percentage of intelligent persons vote intelligently for such major offices as President, United States senator, governor, and mayor, but unless they are engaged in political work they are not likely to do so for many of the minor offices. In New York City about five hundred offices are to be filled annu-

⁵ "The Short Ballot, A Movement to Simplify Politics," (published by the National Municipal League), p. 2.

⁶ Ibid., p. 6.

ally for the state, city, and county governments. Chicago has had six thousand candidates in a single primary election. Philadelphia elects more officials than either of the other cities.

In order to remedy these conditions, it is proposed that only the major offices be chosen by the voters, those that really are conspicuous in campaign times and in the eyes of the public. Such major officials will appoint the minor ones. This process will shorten the ballot which may be further shortened by the election of Federal, state, and local officials in different years. A plan suggested provides for the following distribution of elections:⁷

<i>First year</i>	<i>Second year</i>	<i>Third year</i>	<i>Fourth year</i>
President and Vice President four years	Governor four years appoints all state administration, sheriffs and district attorneys.	Congressman two years	Judges
Congressman two years	State Auditor four years	Three county directors four years	
Senator six years	State Representative four years (State Senate abolished)	appoint all other county officers	

Such states as are providing for the reorganization of state departments are fulfilling in part the wishes of the short ballot advocates inasmuch as they are consolidating offices and boards. The city manager and commission forms of government also are providing for the choice of fewer municipal officials at the polls.

New Jersey, in 1927, defeated a proposed constitutional amendment which would have lengthened the term of the governor from three to four years and thrown such elections into Presidential years when state affairs would be subordinated to national issues. The reorganization of the New York state departments became effective in 1927, when the governor appointed the state treasurer, secretary of state, and state engineer, who previously had been elected. The same year, the voters rejected a constitutional amendment which would have lengthened the term of governor to four years, not because the term would be four years, but because the election would take

⁷ Ibid., p. 18.

place at the time when Presidential electors were chosen. New Mexico, also in 1927, defeated a similar proposal.

Opponents of the short ballot call attention to the fact that by giving power to appoint officials now elected, the voters are robbed of power and have even less influence over their government than previously. In answer to this, the short ballot proponents maintain that after all only a few have any influence in the choice of these officials and the appointing power may be held responsible by the electorate for misconduct in office.

VOTE CAST AT PRESIDENTIAL ELECTION OF 1924

	<i>Population of 21 and over</i>	<i>Aliens of 21 and over</i>	<i>Illiterates 21 and over</i>	<i>Eligible to vote</i>	<i>% Voted</i>	<i>% Voting</i>
Alabama	1,203,864	4,853	233,418	970,445	166,593	17.2
Arizona	230,982	42,665		188,317	73,961	39.2
Arkansas	919,710	3,202*	101,798	817,912	138,532	16.9
California	2,737,124	278,166		2,458,958	1,281,778	52.1
Colorado	614,832	37,393		577,430	342,260	59.3
Connecticut	933,566	189,200		744,366	400,295	53.8
Delaware	143,820	8,770		135,050	90,865	67.3
Dist. of Col.	349,698	8,432		341,266		
Florida	680,312	18,280	76,777	603,535	109,154	17.7
Georgia	1,505,406	4,904	266,198	1,239,208	166,577	13.4
Idaho	268,290	10,001		258,289	148,295	57.4
Illinois	4,248,096	406,529		3,841,567	2,470,067	64.3
Indiana	1,861,062	60,578		1,800,484	1,272,390	70.7
Iowa	1,436,292	40,960		1,395,332	976,960	70.0
Kansas	1,046,253	29,905		1,016,348	662,451	65.2
Kentucky	1,330,728	6,903		1,323,825	815,332	61.6
Louisiana	967,348	20,497	250,477	716,871	121,951	17.0
Maine	484,677	47,169		437,508	192,192	43.9
Maryland	916,895	40,001		876,894	358,630	40.9
Massachusetts	2,568,478	521,613		2,046,865	1,129,909	55.2
Michigan	2,522,908	295,562		2,227,346	1,160,298	52.1
Minnesota	1,486,616	116,587		1,370,029	822,146	60.0
Mississippi	876,106	2,429	184,564	691,542	112,515	16.3
Missouri	2,078,530	51,851		2,026,679	1,307,985	64.5
Montana	380,184	22,819		357,365	174,423	48.8
Nebraska	774,060	37,182		736,878	464,169	63.0
Nevada	52,218	6,462		45,756	26,921	58.8
New Hampshire ...	285,300	39,638		245,662	164,769	67.1
New Jersey	2,116,722	338,920		1,777,802	1,088,054	61.2
New Mexico	195,320	14,827		180,493	112,830	62.5
New York	6,915,810	1,245,218		5,670,592	3,256,319	57.5
North Carolina	1,309,264	2,067	206,559	1,102,705	482,687	43.8
North Dakota	319,716	20,684		299,032	199,081	66.6
Ohio	3,922,446	298,162		3,624,284	2,016,237	55.6

* Persons with first papers are allowed to vote in Arkansas.

	<i>Population of 21 and over</i>	<i>Aliens of 21 and over</i>	<i>Illiterates 21 and over</i>	<i>Eligible to vote</i>	<i>% Voted</i>	<i>% Voting</i>
Oklahoma	1,132,992	11,400		1,121,592	528,415	47.1
Oregon	536,568	35,107		501,461	279,488	55.7
Pennsylvania	5,400,832	645,610		4,755,222	2,144,852	45.1
Rhode Island	407,480	71,760		335,720	210,115	62.6
South Carolina	825,529	1,942	181,424	644,105	50,751	07.9
South Dakota	365,308	14,251		351,057	203,868	58.1
Tennessee	1,263,080	4,157		1,258,923	300,275	23.9
Texas	2,665,957	175,875	409,769	2,256,188	657,509	29.1
Utah	251,446	16,895		234,551	156,990	66.9
Vermont	217,042	16,486		200,556	102,912	51.3
Virginia	1,284,488	10,521	192,897	1,091,591	223,726	20.5
Washington	937,888	82,277		855,611	421,549	49.3
West Virginia	825,998	36,587		789,411	583,662	74.1
Wisconsin	1,629,220	154,615		1,474,605	840,779	57.0
Wyoming	132,685	9,255		123,430	79,900	64.7
Total	65,504,752	5,558,368	2,103,881	57,841,501	29,091,417	50.3

Indifference of the electorate.—Nearly one-half of the voters of the United States fail to perform their civic duty as voters, so far as their voting for President is concerned. The largest vote ever cast for President was in 1924 when the total vote cast for all Presidential candidates was 29,091,417, an increase of 2,327,585 over the election of 1920. Nevertheless it represented only about 50 per cent of those eligible to vote under the electoral regulations of the several states. This ratio is secured after deducting 2,103,881 illiterates, both whites and negroes, disfranchised under the educational restrictions of ten of the Southern states. No deductions are made for illiteracy in other states. This estimate was made by the Democratic National Committee. The population of 21 years of age and over used is the estimate of the Bureau of the Census. The aliens of the same age, who are deducted, represent the population figures of 1920, the assumption being that this division of the population was about the same in 1924 as in 1920, because of restricted immigration. The District of Columbia is included in the general total since about 67,000 of its residents voted in the states, mostly under the absentee laws. No deduction was made of those barred because of failure to pay poll taxes. In fairness, it must be taken into consideration that many were unable to vote because they had not been residents of the state, county, or precinct for the time required by law. Also no deductions have

been made for inmates of jails, penitentiaries, insane asylums, and similar institutions. Similarly, no deductions have been made for Indians of voting age on reservations. Likewise, no deductions have been made for those who have lost their franchise rights because of conviction for crimes. Most of this latter class, outside of those in the lower South, vote regardless of this disqualification. The stay-at-home vote is not characteristic of any particular section, but it is more or less common to every section, North, South, East, and West.

The highest vote efficiency percentage shown by any state in 1920 in the vote cast for President was in West Virginia, where 74.1 per cent of the qualified voters went to the polls. This was partly because the Democratic Presidential candidate, John W. Davis, entered public life from that state. West Virginia is one of the close doubtful states, where a relatively large turnout of the vote is always secured. The second best record was made by Indiana which probably contains more political workers in proportion to the population than any other state in the Union. There, 70.7 per cent voted. Indiana is always fighting ground for the national parties. The next best record was by Iowa with 70 per cent, because both the Republican and Democratic organizations supported the Democratic nominee for United States senator in preference to the insurgent Republican who opposed the national ticket.

The eleven states of the upper Mississippi valley, known as the Middle West in political circles, made by all odds the best showing for any geographic section. The five in the East North Central group, Ohio, Indiana, Illinois, Michigan, and Wisconsin sent 59.8 per cent of their voters to the polls, being out-done only by the six states of the West North Central group. To the credit of these states, Minnesota, Iowa, North Dakota, South Dakota, Nebraska and Kansas, 64.4 per cent voted, out-doing any other area in the country.

The worst showing of any section outside of the lower South was made by Pennsylvania, where only 45.1 per cent went to the polls. Pennsylvania may properly be considered a political section in itself. However, since the state is overwhelmingly Republican, with but few Democratic counties, the decisive contest always is in the primary. In the states of the lower South, Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, Louisiana, Ar-

kansas, and Texas, only 22.1 per cent voted. There, too, interest lags after the primaries and there is no incentive to get out a large vote. In South Carolina but 7.9 per cent voted, the lowest record of all. The border states of Delaware, Maryland, West Virginia, Kentucky, and Missouri, which failed to enter the Confederacy in the Civil War, always make a good showing. They sent 58.7 per cent to the polls. New York and New Jersey, where political conditions are similar, and where the Republicans generally are stronger in national fights, and the Democrats in state contests, 58.3 per cent voted. The mountain states showed the difficulties of getting to the polls in the sparsely populated regions. In Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming, but 56.8 per cent voted. Even this was a much better record than New England had, where the Republicans made an energetic appeal to sectional pride because of the nativity of their Presidential candidate, and but 54.9 per cent voted. The Pacific states of California, Oregon, and Washington made an even poorer showing with but 52 per cent voting.

Some of the states were assisted by senatorial or gubernatorial elections. Maine, which elects its governor and members of Congress in September, and Arkansas, which chooses state officers at an earlier date, were at a disadvantage in stimulating interest in a large vote.

The fact stands that the enormous stay-at-home vote of to-day is sufficient to change the result of the Presidential election in a vast majority of the states. The stay-at-home army of 28,750,084 can elect or defeat any candidate. If 10 per cent of the stay-at-homes in "rock-ribbed" states were colonized in doubtful states, they would decide any close national election. Through the ability and efficiency of national, state, and local committees in mobilizing the stay-at-homes and converting them into active electors, many elections are changed. Less than one-third of the eligible voters of the country turned out on November 2, 1926, to elect thirty-four governors, thirty-four senators, the entire House of Representatives of the National Government, nearly all of the state legislators, and thousands of municipal, county, and other officials. In seven states, Arizona, Utah, Vermont, Maryland, Kentucky, New Mexico, and Wyoming, the 1926 vote

exceeded by 345,000 that of 1924. In the remaining forty-one states it was 7,000,000 less than in 1924. Comparing 1926 with 1922, an off year, there were sixteen states in which fewer votes were cast than in 1922: Ohio, Indiana, New Jersey, Iowa, Kansas, Oklahoma, Montana, Idaho, Delaware, Georgia, Mississippi, Alabama, Tennessee, South Carolina, Arkansas, and Virginia. Taking into account the increase in the eligible voters, there being a great many more in 1926 than four years before, the following states should be added: Pennsylvania, Rhode Island, Maine, New Hampshire, Nebraska, Missouri, North Carolina, and New Mexico. Comparing unofficial returns, the vote in 1926 was only about one million more than in 1922.

Second in importance to waking up the stay-at-homes is the naturalization of 5,558,368 foreign-born citizens of voting age. Patriotic efforts are being made to this end, but the movement, to be really effective, must become national and have a broader and more earnest support. If dangerous propaganda is fomented against American institutions, its principal cradle will be the alien and unnaturalized citizenship.

A large stay-at-home vote is not altogether disadvantageous for persons who are indifferent to their voting obligations are not likely to take intelligent action at the polls.

Compulsory voting.—Massachusetts and North Dakota have constitutional provisions permitting the enactment of laws to provide for compulsory voting, but no statutes have been passed to put these provisions into effect. This plan, as it operates in Australia and many of the smaller European countries, provides for a fine for non-voting, and if made operative here undoubtedly it would result in a largely increased electorate.

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Questions

1. What were the early forms of voting?
2. What ballots were used in most of the states prior to the Civil War?
3. When was the Australian ballot first introduced in this country?
4. What is the office group type of ballot?
5. What is the party column type of ballot?
6. How does the voter mark the Australian ballot?
7. Does the Australian ballot prevent independent candidacies?
8. What are residence requirements for voting?

346 PARTY PRINCIPLES AND PRACTICAL POLITICS

9. What is registration?
10. What was the early practice in lieu of registration?
11. What is non-personal as distinguished from personal registration?
12. What is meant by permanent personal and periodic personal registration?
13. What is absentee voting?
14. When was absentee voting first introduced in this country?
15. When was the modern absentee voting introduced and where?
16. What is the usual procedure in absentee voting?
17. Do any of the states restrict those who may vote by mail?
18. How is the partisan composition of election boards determined?
19. What are the duties of the challengers?
20. Who may watch the count?
21. What protection is afforded the ballots after they are counted?
22. What is meant by "stuffing?"
23. How are returns falsified when it is not easy to change the ballots and what is the disadvantage of this?
24. What is the "endless chain?"
25. How may a dishonest election judge invalidate ballots where his initials are required on the ballots?
26. How is a dishonest person qualified for registration, who cannot be trusted by the party worker, handled, if possible?
27. What are "repeaters?"
28. What is the effect of distinguishing marks on a ballot?
29. What is the penalty for exposing a ballot?
30. What are the advantages of voting machines?
31. What is the principal objection to the use of voting machines?
32. How many of the people of the United States fail to perform their duties as voters?
33. Where is the lightest vote cast in general elections and why?
34. In what states is the highest voting efficiency shown?
35. What Northern state made the poorest showing in 1924 and why?
36. What must be done if the vote is to be increased?
37. Is a stay-at-home necessarily disadvantageous?
38. What is the purpose of the short ballot?
39. What is compulsory voting and has it been introduced in this country?

CHAPTER XXI

REPRESENTATION

Origin of term "gerrymander."—When Elbridge Gerry was governor of Massachusetts in 1812, the Republicans, who were in control of the legislature and with whom he was affiliated, reapportioned the state senatorial districts in order to continue in control of the upper house. In so doing they carved a district out of Essex county which was expected to be safely Republican. It made such a grotesque figure that when Gilbert Stuart, the artist, saw a reproduction of it in a newspaper he likened it to a salamander, causing the editor to retort, "Say, rather a Gerrymander." Gerry had not inspired the re-districting but he signed the bill, and while he had a distinguished career beginning with his signature to the Declaration of Independence and culminating with the Vice Presidency, he is known principally in history because of the creation of this term.

Gerry's partisans in Massachusetts were not the first Americans to indulge in the practice. William Penn, in seeking to give rural districts proper representation in Pennsylvania, worked injustice to Philadelphia. It often happened in Colonial days and so when the states won their independence, the practice was carried forward. No less a lover of liberty than Patrick Henry attempted through the arrangement of the counties of Virginia to keep James Madison out of Congress in 1788.

Any sort of districting which gives unequal voting strength to different areas of the same population or disproportionate representation to one party through unnatural arrangement is in effect a gerrymander, although this is a much broader definition than the term originally signified.

Gerrymander, as the term is used here, may be classified as operating through constitutional provision, legislative action, and perhaps, also, legislative inaction.

Constitutional provision. — Constitutional gerrymander means that a state constitution contains a provision limiting the number of districts which may be contained in a particular county or section, regardless of population. It is illustrated well in New York, where the constitution provides that there shall be 150 members of the House, and each county with the exception of Hamilton (which is thrown in the same district with Fulton) is entitled to at least one assemblyman.¹ This provision was aimed at New York City, with the idea of preventing it ever from getting control of the assembly, which would undoubtedly have happened had not such an inequitable ratio been arranged. Aliens are not counted in the ratio of apportionment in New York. New York City has but 62 of the 150 assemblymen under this plan, despite the fact that of the total population of the state of 9,667,956 non-aliens, 4,750,330, almost half, live in the city. Thus the 11,796 citizens of Putnam county have infinitely more proportionate influence in the assembly than the residents of one of the large New York City assembly districts. This restriction on representation has caused a great deal of antagonism in New York politics.

Six states, New Jersey, South Carolina, Texas, Maryland, Montana, and Rhode Island, limit each county or city to but one member each of the state senate. In Maryland and Rhode Island this plan works particular injustice to the cities of Baltimore and Providence. Pennsylvania restricts representation in the state senate so that no city or county, regardless of population, may have representation exceeding one-sixth of the whole number of senators.

Vermont restricts each town with 80 or more taxable inhabitants to two representatives in the state house; while every other inhabited town has one. In Oklahoma, no county may have more than seven representatives and in Florida, not more than three. Georgia gives the six largest counties three representatives each, the next twenty-six in size, two each, and the remaining 105, one each.

Arizona and Nevada constitutionally fix the number of representatives and senators from each county and thus reapportionment is made much more difficult with the changes of

¹ New York State Constitution," Art. 3, Sec. 5.

population. Mississippi is divided constitutionally into three sections and each section is guaranteed no less than fifty-four representatives.

In Delaware, by constitutional provision, the city of Wilmington has but five of the thirty-five representatives in the house and two of the seventeen in the senate, and yet it has more than half of the population of the state. The rural majority in the legislature is unwilling to make a change.

In 1922, the voters of Chicago rolled up a large majority against a proposed new Illinois constitution, partly because they would have been restricted to one-third of the membership of the state senate under its terms.

Legislative action.—The most generally known and popular kind of gerrymander is that by legislative action, where the party in control of the legislative branch of the government so apportions the districts as to secure therefrom a maximum number of partisans elected, out of proportion to the normal strength of the party and without regard to natural geographic arrangement. This was the type previously referred to in the Massachusetts apportionment of 1812.

The gerrymander does not necessarily have to create districts of unequal population or of unusual shape. All that is needed is to draw the lines so as to waste as many as possible of the votes of one party and to make as many as possible of the votes of another party effective.

President Benjamin Harrison, in his annual message to Congress in 1891, said: "If I were called upon to declare wherein our chief national danger lies, I should say without hesitation in the overthrow of majority control by the suppression or perversion of the popular suffrage."

Harrison's party had lost heavily in the 1890 elections throughout the country and it seemed likely that the Democrats in many of the state legislatures would take advantage of the opportunity to gerrymander a maximum number of congressional and legislative seats for themselves.

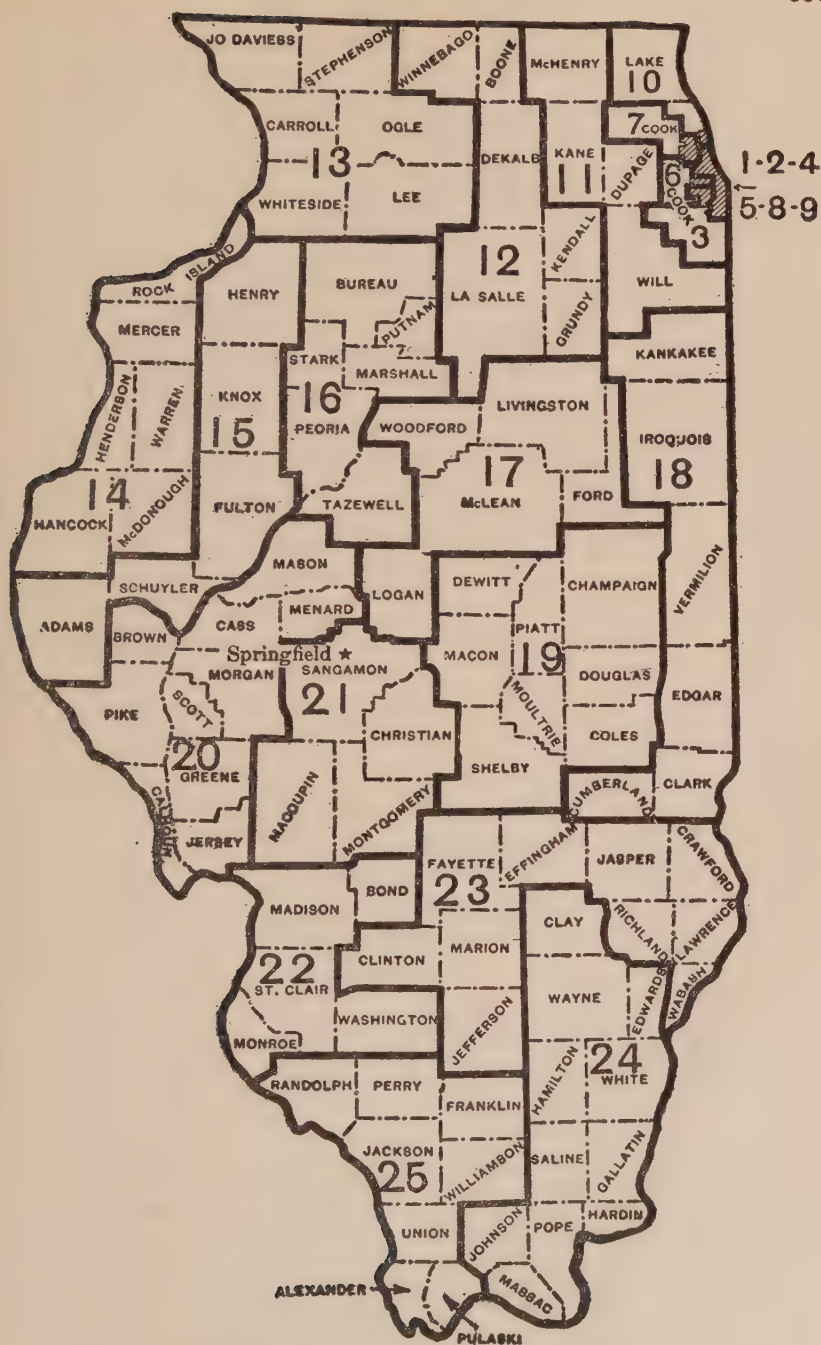
Gerrymandering has been practiced by all controlling parties and is considered legitimate. The constitutions in some states provide that districts must be composed of contiguous territory, meaning logically arranged, and sometimes this leads to battles in the courts, but in no state may the distribution of congressional seats be questioned and the Supreme Court has

refused to interfere.² The border states, particularly, have indulged in the practice.³ It is not unnatural for gerrymandering to be considered legitimate; any districting under the majority system necessarily disfranchises some voters and the party in power hardly could be expected to make arrangements so that its own voters would be the ones to be disfranchised.

In the election of 1900, the Democrats and Republicans each elected twelve representatives in Congress from Illinois. McKinley, Republican, received 597,985 votes for President, and Bryan, Democrat, 503,061. The Democrats thus obtained more seats than they were entitled to have under a fair apportionment of their total voting strength, because northern Illinois, excluding Cook County, is heavily Republican, out of proportion to the division of parties in the rest of the state. Under the Congressional apportionment of 1901, Illinois was entitled to three more representatives and so the legislature made as many Republican districts as possible, planning to give the Democrats five and retain twenty for themselves. Two additional members have been elected at large since the apportionment following the census of 1910 allotted increased representation. This apportionment stands to the present time. In order to arrange this, the legislature had to minimize the influence of the wide tier of Democratic counties in south central Illinois. The fourteenth district was created with two Democratic counties at the southern end balanced by four Republican to the north, and the fifteenth by two Democratic counties in the southern part offset by three Republicans above. The arrangement of these two districts is illogical and absurd. Likewise on the eastern border, the two Democratic counties of Cumberland and Clark and the doubtful county of Edgar were offset on the north by the largely Republican Vermillion, Iroquois, and Kankakee. The Democratic Logan County was offset by safely Republican counties in the seventeenth district. In the nineteenth, Democratic Shelby and Moultrie were included with several Republican counties above them. In order that the region of the state known as "Egypt" may have but one Democratic district normally, the twenty-third, or "saddle

² The Supreme Court dismissed a case from Kentucky November 28, 1910.

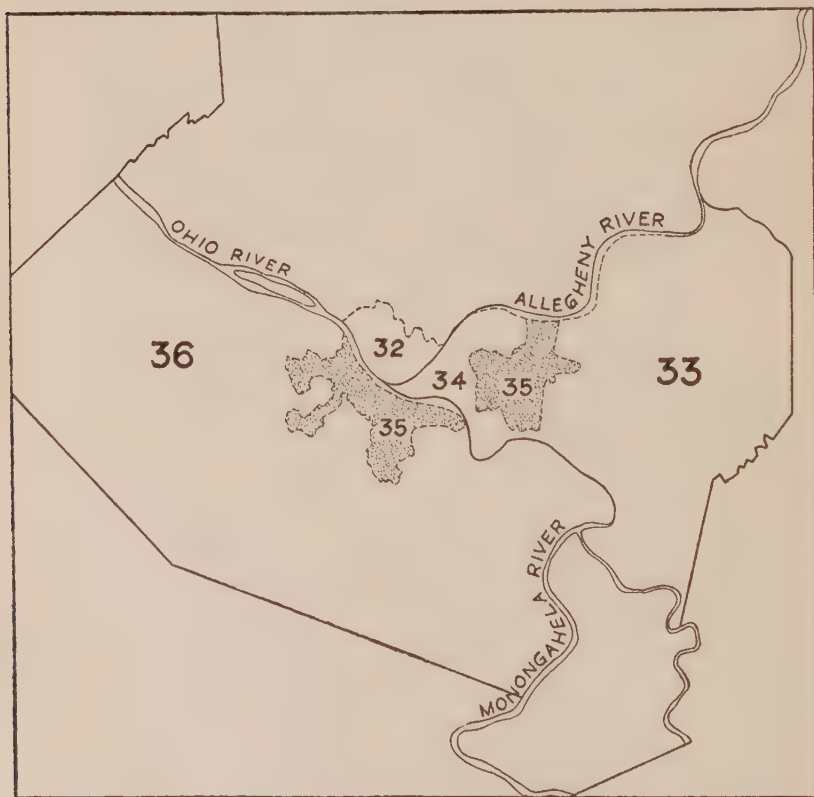
³ C. O. Sauer, "Geography and the Gerrymander," in *American Political Science Review*, 1918, p. 403, analyzes its use in Kentucky, Missouri and Tennessee.



Map of Congressional Districts of Illinois as Apportioned in 1901.

bag" district was carved out. By concentrating large Democratic majorities in this district, the fears of Democratic majorities in Hamilton, White, Gallatin, Hardin, Franklin, Perry, Randolph and Union counties, it was thought, were safely dispelled by the Republican counties in the twenty-fourth and twenty-fifth districts. Even the plans of legislators do not always hold good, and particularly is that true in landslide years. Only two of the districts have gone Republican at all times as was expected of them, as a result of the Roosevelt Progressive movement, the fact that many persons of Irish descent moved into one of the Cook County districts, and for other reasons. Even the five districts allotted the Democrats have gone Republican at least once each.

The old shoestring district of Mississippi, about twenty miles wide and three hundred miles long, was created in



Courtesy of Elsie S. Parker.

Map of Congressional Districts in Allegheny County, Pennsylvania.

Reconstruction days so that only one negro could be elected to Congress from the state. The Democrats of Ohio three times gerrymandered the state before they were able to encompass the defeat of Major William McKinley, Jr., for Congress in 1890. It is possible they learned the art from the Republicans who, in 1862, reapportioned the state in order to keep at home Clement L. Vallandigham, harsh critic of Lincoln's war policies.

One of the most unusual apportionments and one which violates the Federal law requiring contiguous territory is that of the Pennsylvania Congressional districts. The thirty-fifth district, in Pittsburgh, Allegheny county, is divided into two distinct parts by the thirty-fourth. This may not have been done for partisan purposes since the county is overwhelmingly Republican.

Often a party in control of a state legislature maintains its majority by inequitable reapportionments in its own favor. When Abraham Lincoln was defeated by Stephen A. Douglas for the Senate, after the historic debates of 1858, the Republican candidates elected as favorable to Lincoln, combined, had a much larger vote than the Democratic candidates for the state house of representatives. In 1910, the Democratic candidates for the Massachusetts legislature polled a larger total vote than their Republican opponents, but Henry Cabot Lodge, upon whom a bitter fight was made, benefited by the gerrymander in effect in the state in behalf of the Republicans and was re-elected United States senator. The popular election of senators, as provided by the adoption of the seventeenth amendment to the Constitution, has put an end to this abuse so far as applied to elections.

Occasionally, despite a legislative gerrymander, a district will change. The sixth Illinois Congressional district was created to be safely Republican. There was a large influx of persons of Irish descent into the district and it became Democratic.

Legislative inaction.—Sometimes a legislature, through inaction and failure to heed its constitutional duty, neglects to reapportion a state and thereby produces a sort of gerrymander of inequitable districts. Illinois has fifty-one legislative districts; each district chooses one state senator and three representatives. The last apportionment of the state

in legislative districts was in 1901, when Cook County received nineteen of the districts. Because of the large growth of Chicago, Cook would be entitled now to about twenty-four, and with the ratio increasing, by the time of the next census, perhaps, a majority. Therefore the Illinois legislature, dominated by down-state members who are zealous of the control they exert, refuse to re-district the state. There is no mandatory process to compel them to do so.

Missouri, which has had at least one Democratic branch of the legislature during all but two years of the last quarter of a century, has not reapportioned its Congressional districts since 1901. As a result, the largest district in the state, the tenth, overwhelmingly Republican, has a population of 521,008, against the smallest two, Democratic, the eighth, with a population of 138,807, and the sixth, with 138,931. The Republicans of Missouri cast a majority of the Congressional votes in 1924 but elected fewer representatives than the Democrats.

The ward lines of Minneapolis have not been redrawn for thirty years. During that time the wards have grown very unevenly in population so that the least populous ward casts only about a tenth as many votes as the most populous, although it has the same representation in the city council.

Congress, itself, which has refused to reapportion the membership in the House of Representatives, following the census of 1920, as required by the Constitution,⁴ is depriving such states as California, Michigan, North Carolina, and Texas of representation to which they are entitled, at the same time allowing Missouri, Vermont, and other states to continue with more than their share. In 1922, Texas attempted to send an additional representative to the House in view of the state's increase in population, but his credentials were not honored. The states which stand to lose if the membership is not increased above the present 435, considered by many too large, may prevent indefinitely another apportionment by Congress.

Disproportionate representation.—There is no state which may better be used than Indiana to demonstrate how a large minority may not be represented as a result of the system of electing public officials by districts or other divisions of terri-

⁴ "Constitution of the United States," Art. 1, Sec. 3.

tory. In 1910, after close fights in all of the Congressional districts of the state, the Democrats elected twelve of the thirteen representatives in Congress and almost chose the thirteenth. Two years later, with the division of the Republican vote caused by the Progressive Presidential candidacy of Theodore Roosevelt, the Democrats elected all thirteen representatives, and yet had but 45.5 per cent of the total vote in the state, casting 291,288 votes as against 349,546 for all other parties. Then the pendulum began to swing the other way and with the reversal to the Democracy in 1918 when they polled 251,331 votes, 44.3 per cent of the total, just 1.2 per cent less than six years before, they did not elect a single representative, the Republicans making a clean sweep. Such iniquities are responsible for the different schemes of proportional representation.

The limited vote.—The limited vote gives minority representation. Under it, the New York County supervisors, from 1857 to 1870, were elected, as were members of the board of aldermen of New York, from 1873 to 1887; aldermen in Boston, from 1894 to 1898; the supreme court judges, county commissioners, and county auditors of Pennsylvania, since 1873; superior court judges of Pennsylvania, from 1895 to 1915; and delegates-at-large to the Pennsylvania constitutional convention of 1873 and the New York constitutional convention of 1867. Several are elected together but the voter is restricted to a number less than the whole. Thus in Boston, in 1898, when twelve aldermen were elected, each voter had seven choices.

<i>Democratic</i>	<i>Republican</i>	<i>Socialist Labor</i>
<i>Barry</i> 19,667	<i>Adams</i> 18,366	<i>Ballam</i> 1,734
<i>Brick</i> 16,221	<i>Berwin</i> 17,402	<i>Beck</i> 1,884
<i>Day</i> 15,509	<i>Codman</i> 18,734	<i>Dyer</i> 1,888
<i>Dixon</i> 15,700	<i>Colby</i> 16,878	<i>Freedman</i> 1,526
<i>Doyle</i> 17,962	<i>Presho</i> 18,059	<i>Giguire</i> 1,140
<i>McDonald</i> 15,936	<i>Albee</i> 13,720	<i>Greenman</i> 1,127
<i>O'Toole</i> 16,345	<i>Averill</i> 1,664	<i>Hess</i> 1,208
<i>Bracket</i> 14,554	<i>Bigelow</i> 6,349	<i>Langen</i> 645
<i>Bradley</i> 2,577	<i>Brooks</i> 12,086	<i>Murphy</i> 1,288
<i>Casey</i> 6,321	<i>Bryant</i> 3,542	<i>Raasch</i> 615
<i>Morgan</i> 6,572	<i>Crocker</i> 15,412	<i>Simmons</i> 691
<i>Mahoney</i> 14,740	<i>Lyon</i> 6,243	<i>Thiebault</i> 709
<i>Norris</i> 14,647	<i>Newmarch</i> 10,825	
<i>Norton</i> 12,839	<i>Paige</i> 14,819	Total 14,455
<i>Quinn</i> 15,011	<i>Wagner</i> 5,853	
Totals 204,611	Total 179,952	

This worked out in about the proportion of the actual party strength, the Democrats getting seven and the Republicans five aldermen, since both parties wasted votes about evenly. But had the Democrats voted as they did and the Republicans reduced their candidates to ten, each of the latter would have received substantially 17,995, if they had distributed their votes evenly, and the minority would have elected ten of its twelve candidates to two for the majority.⁵

The limited vote is likely to give some representation to minorities but it cannot be counted upon to represent different groups in proportion to their voting strength.

Cumulative voting.—The constitution of Illinois, adopted in 1870, contains the following provision with regard to cumulative voting:

The House of Representatives shall consist of three times the number of the members of the Senate, and the term of office shall be two years. Three representatives shall be elected by each senatorial district at the general election in the year of our Lord one thousand eight hundred and seventy-two, and every two years thereafter. In all elections of representatives aforesaid, each qualified voter may cast as many votes for one candidate as there are representatives to be elected, or may distribute the same, or equal parts thereof, among the candidates, as he shall see fit; and the candidates highest in votes shall be declared elected.⁶

Thus, under this cumulative system of representation, a person may vote 1 for each of three candidates, $1\frac{1}{2}$ votes for two candidates each or "plump" 3 votes for one. In theory, the party strongest in the district will elect two representatives and the next strongest, one, or if there are three parties of substantially the same strength, or with no one twice as strong as the other, each will elect one. Each party, by the direction of the senatorial committee of each particular district, nominates one, two, or three candidates. In practice, however, the system has not always worked out this way. Taking the results of a few districts in the Illinois election of 1912, for example:

⁵ Hoag, Clarence C., and Hallett, George H., Jr., "Proportional Representation" (New York, 1926), p. 42.

⁶ "Illinois State Constitution," Secs. 7, 8. See Blaine F. Moore, "History of Cumulative Voting in Illinois" in "University of Illinois Studies" (1909).

Third District

<i>F. E. J. Lloyd</i> , Progressive.....	11,735½
<i>John P. Walsh</i> , Democrat.....	11,080
<i>Henry M. Ashton</i> , Democrat.....	9,565½
William Ostrom, Republican.....	9,498½
Robert R. Jackson, Republican.....	9,059
Aaron L. Voorhees, Socialist.....	3,486½
George W. Doolittle, Prohibitionist.....	342½

The total vote of the Republican candidates in the district was almost as great as that of the Democrats and considerably greater than that of the Progressive, yet the Republicans received no representation.⁷

Thirteenth District

<i>Elmer J. Schnackenberg</i> , Progressive.....	20,260
<i>Seymour Stedman</i> , Socialist.....	13,051
<i>Benton F. Kleeman</i> , Republican.....	10,257½
John A. Swanson, Republican.....	10,022½
Timothy Dunne, Democrat.....	9,362½
John W. Riley, Democrat.....	9,033½
Fred C. Lockwood, Democrat.....	8,937
Albert C. Moses, Independent.....	3,779½
Charles H. Doolittle, Prohibitionist.....	375½

The Democrats were strongest numerically in this district and yet because they nominated three candidates and divided their votes so evenly they did not elect any of them. Had they nominated only two and distributed their votes evenly they would have elected two, the Progressives one, and the Socialists and Republicans none.⁸

Twenty-first District

<i>Benjamin M. Mitchell</i> , Democrat.....	18,277
<i>John Grunau</i> , Progressive.....	15,499
<i>E. W. Harris</i> , Socialist.....	8,438
Edwin T. Farr, Republican.....	8,295
Alfred C. Anderson, Republican.....	7,401½
Walter W. Guy, Prohibitionist.....	387½

Here the Democrats could have elected two, if they had nominated that many, by evenly distributing their votes, and the Republicans did not get any representation at all, although stronger than either the Progressives or Socialists, because they attempted to elect two.⁹

⁷ "Illinois Blue Book 1915-1916" (Springfield, 1916), p. 640.

⁸ Ibid., p. 641.

⁹ Ibid., p. 642.

Twenty-ninth District

<i>Patrick J. Sullivan</i> , Democrat.....	7,133½
<i>James H. Farrell</i> , Democrat.....	6,839
<i>Medill McCormick</i> , Progressive.....	6,674
<i>Henry S. Holmber</i> , Republican.....	4,132½
<i>Elmer L. Williams</i> , Republican.....	3,786
<i>Vincent Verde</i> , Socialist.....	3,494½
<i>Albert P. Ford</i> , Prohibitionist.....	343

In this district, too, the Republicans lost a representative to the Progressives because they attempted to elect two instead of one.¹⁰

Thirty-second District

<i>Robert A. Elliott</i> , Democrat.....	12,932
<i>J. H. Jayne</i> , Progressive.....	12,913½
<i>John Huston</i> , Democrat.....	12,657
<i>Henry Terrill</i> , Republican.....	9,736½
<i>John R. Camp</i> , Republican.....	9,683
<i>J. H. Shimmin</i> , Socialist.....	1,443½
<i>William F. Aleshire</i> , Prohibitionist.....	773½

Again the Republicans received no representation by nominating two candidates instead of one.¹¹

Forty-first District

<i>Ezra E. Miller</i> , Progressive.....	18,634½
<i>William R. McCabe</i> , Republican.....	14,759½
<i>James H. Alexander</i> , Republican.....	14,025
<i>Michael F. Hennebry</i> , Democrat.....	11,833
<i>Bernard L. Kelly</i> , Democrat.....	11,515
<i>Claus A. Eklund</i> , Socialist.....	1,641
<i>James G. Brooks</i> , Prohibitionist.....	770

In this district, the Democrats lost representation which otherwise they would have had by attempting to elect two instead of one.¹²

Forty-third District

<i>E. W. Duvall</i> , Democrat.....	16,557
<i>Edward J. King</i> , Republican.....	10,413
<i>W. B. Elliott</i> , Progressive.....	9,523
<i>W. S. Jewell</i> , Republican.....	7,843½
<i>W. A. Lockwood</i> , Progressive.....	7,553
<i>Homer Whalen</i> , Socialist.....	4,937½
<i>Frank W. Latimer</i> , Progressive.....	4,423
<i>Charles E. Dunlevy</i> , Prohibitionist.....	1,287½

¹⁰ Ibid., p. 643.

¹¹ Ibid., p. 644.

¹² Ibid., p. 645.

In this case, had the Progressive only nominated two instead of three, they might have elected them both, instead they only got one.¹³

Fiftieth District

<i>George W. Crawford</i> , Democrat.....	17,893
<i>Charles Curren</i> , Republican.....	17,601
<i>R. D. Kirkpatrick</i> , Republican.....	16,380½
James H. Felts, Democrat.....	16,349½
John Conant, Socialist.....	3,394
George L. Dubois, Prohibitionist.....	1,000½

This is an example of what frequently happens in these contests; each major party nominates two but the stronger does not distribute its votes evenly and the minority elects two and the majority one.¹⁴

In the Illinois elections of 1926, in 31 of the 51 districts, the majority party nominated two candidates and the minority one, and there really was no choice for the voters. In three of the districts, where each party nominated two the votes were not evenly distributed and the minority party elected two candidates.

The principal criticism of the Illinois cumulative voting plan is that very often the majority party nominates two and the minority one, and with three to be elected, there is no actual choice for the voters at the election, since all are certain to win.

Again, in order to make it work properly careful calculation and organization of voters in advance of each election is required, thus depriving the voter of his rightful freedom of choice. There was but little opposition in the constitutional convention of 1922 to the inclusion of a clause in the proposed constitution abolishing accumulative voting. This change was not one of the contributing causes of the defeat of the instrument by the voters.¹⁵ The Illinois voter also has three votes to distribute similarly in the primary, even if only one or two are to be nominated.

Bucklin plan.—A plan of preferential voting which first was introduced at Grand Junction, Colorado, through the

¹³ Ibid., p. 646.

¹⁴ Ibid., p. 647.

¹⁵ The proposed constitution failed of ratification for other reasons as there was virtually no opposition to this suggested change.

efforts of James W. Bucklin, in 1909, has been extended to use elsewhere, including the election of the directors of each Federal Reserve bank. While used in somewhat modified forms at different places, its general operation is indicated by the Federal Reserve act as follows:

Each elector shall make a cross opposite the name of the first, second, and other choices . . . for a director . . . but shall not vote more than one choice for any one candidate.

Any candidate having a majority of all votes cast in the column of first choices shall be declared elected. If no candidate have a majority of all the votes cast in the first column, then there shall be added together the votes cast by the electors for such candidates in the second column and the votes cast for the several candidates in the first column. If any candidate then have a majority of the electors voting, by adding together the first and second choices, he shall be declared elected. If no candidate have a majority of electors voting when the first and second choices have been added, then the votes cast in the third column for other choices shall be added together in like manner, and the candidate then having the highest number of votes shall be declared elected.¹⁶

The Bucklin system is applicable to a city commission on the principle of the block vote and also to a single office. Under it, a voter marks his first choice under a column so designated, and his second choice under another column. Then he may vote as many "other choices" as he desires under a third column. Since crosses and not figures are employed, it is not desirable to extend the use beyond three columns. The usual method of counting is for the total first choice votes to be added and if any candidate have a majority, he is declared elected. Then the first and second choices are added together, and anyone with a majority is declared elected. If none is elected on the second count, then the "other choices" are added and the one with a majority or largest plurality wins.¹⁷ Hence, a man's second choice may defeat his first choice, or his "other choices" the first two. Another way of counting, as planned by W. R. Ware, distributes second choices of the lowest among the survivors when no candidate has a majority

¹⁶ "Federal Reserve Act of 1914," Sec. 4.

¹⁷ If more than one candidate have a majority, the one having the highest number of votes is declared elected.

of the first choice. This process is continued until a final decision is reached.

Cities which adopted the Bucklin system were: Grand Junction, Colorado, 1909; Spokane, Washington, 1910; Pueblo, Colorado, 1911; New Iberia, Louisiana, 1912; Duluth, Minnesota, 1913; Houston, Texas, 1913; Denver, Colorado Springs, and Fort Collins, Colorado, 1913; Portland and LaGrande, Oregon, 1913; Nashua, New Hampshire, 1913; St. Petersburg, Florida, 1913; and Cadillac, Michigan, 1913; Santa Monica, California, 1914; Columbus, Ohio, 1914; Vine-land, Ridgewood, Nutley, Millville, Long Branch, Phillipsburg, Union, Orange, Atlantic City, Passaic, Jersey City, and thirteen smaller cities in New Jersey, 1914; Portland Water District, Maine, 1915; Asbury Park, Irvington, New Brunswick, Bayonne, Hoboken, and Paterson, New Jersey, 1915; Montclair, New Jersey, 1916; San Francisco and Alameda, California, 1916; Newark, New Jersey, 1917; Gloucester, Massachusetts, 1917. Most of these cities are under the commission form of government. The system has since been discontinued in Cleveland, Gloucester, Grand Junction, and Duluth.

The *Jersey City Journal*, on May 12, 1927, contained the following editorial in opposition to the Bucklin plan:

WIPE OUT PREFERENTIAL VOTING

Preferential voting is a piece of excess baggage that should be sent to the junk heap. Several city commission elections have demonstrated that it is a fad that nobody wants. Further proof on this point was forthcoming at the election held this week. This system of voting has been allowed to hang on to Walsh act elections for several years, apparently because nobody at Trenton had enough energy to draw up a bill to wipe it out. It is to be hoped the Legislature will not let another session go by without doing the job.

How little the public is interested in preferential voting is evident from an examination of the votes cast in Bayonne and Hoboken this week. In Bayonne, despite the fact that the election was unusually hot and several candidates made their chief appeals for second choice votes, in only five instances did the second choice votes run over one hundred. The votes in the third and other choice columns ran even lower. In only one case in Hoboken did the second choice vote for a candidate total more than one hundred. The third and other choice columns evidenced about the same result as was found in Bayonne. On the

other hand, the first choice votes in a majority of cases ran all the way from twenty to fifty times as much as the total of second choice votes. An outstanding instance was that of Commissioner McFeely of Hoboken, who received two hundred and sixty-four times as many first choice votes as second choice votes. Preferential voting has been tried and found wanting and unwanted.

Hare system.—As a remedy for disproportionate representation, the Hare system of proportional representation by means of the single transferable vote is suggested by the Proportional Representation League. The Hare system has been used in this country only in connection with the city manager plan of government, but lends itself for adoption elsewhere. It first was used by Ashtabula, Ohio, for the election of the city council in 1915. Boulder, Colorado, adopted it for its council in 1917. Cleveland, Ohio, did the same in 1921, Cincinnati, Ohio, in 1924, and Hamilton, Ohio, in 1926. Ashtabula voted to retain the Hare system in 1920 and in 1926. Boulder in 1923 and 1925, and Cleveland in 1925. Kalamazoo, Michigan, adopted the system for its council in 1918, but the plan was declared unconstitutional by the Michigan supreme court in 1920.¹⁸ Sacramento, California, adopted it in 1920, but in 1922 the California supreme court ruled the system unconstitutional.¹⁹ West Hartford, Connecticut, adopted the plan for its town council in 1921 and again in 1922, but its use was forbidden by the Connecticut legislature in 1923.

Under the Hare system, candidates are nominated by petition, and then each voter marks his first choice, second, third and so forth, with the appropriate figures. The ballot and its marking with the names alphabetical and rotating in position by districts or precincts may be somewhat in this form:²⁰

DIRECTIONS TO VOTERS

Put the figure 1 in the square opposite the name of your first choice. You may also express second, third, and other choices by putting the figure 2 opposite the name of your second choice, the figure 3 opposite the name of your third choice, and so on. You may express thus as

¹⁸ *Wattles vs. Upjohn*, 211 Mich. 514, 177 N. W. 335.

¹⁹ *People vs. Elkus*, 39 C. A. D. 279, 211 Pac. 34, Cal.

²⁰ Form recommended by Proportional Representation League.

many choices as you please, without any regard to the number being elected.

Your ballot will be counted for your first choice if it can help elect him. If it cannot help elect him, it will be transferred to the highest of your other choices whom it can help.

You cannot hurt the chances of any candidate you prefer by marking lower choices for others. The more choices you express, the surer you are to make your ballot count for one of them. But do not feel obliged to express more choices than you really have.

Do not put the same figure opposite more than one name.

If you spoil this ballot, return it to the election officer in charge of ballots and get another from him.

- ☒ 5 A. VICTOR DONAHEY
- ☒ 4 CHARLES E. HUGHES
- ☒ 1 FRANK O. LOWDEN
- ☒ 7 ANDREW W. MELLON
- ☒ 3 ALBERT C. RITCHIE
- ☒ 8 ALFRED E. SMITH
- ☒ 6 THOMAS J. WALSH
- ☒ 2 CALVIN COOLIDGE
- ☐ JOHN W. DAVIS
- ☒ 9 CHARLES G. DAWES

The total number of votes cast is divided by one more than the number to be elected, to which 1 is added, this giving the Droop quota for determining the necessary vote to elect a candidate.

The Droop quota is the smallest number of votes that will insure a candidate's election, when each voter is restricted to a single vote, regardless of how the other votes may happen to be distributed. It could be found by inspection in any case, but the rule given is a convenient arithmetic short-cut. For purposes of illustration, it is presumed that a council of five is to be elected, or perhaps representatives in Congress from a state, and ten candidates are contending for election.

<i>Candidate</i>	<i>First Choice Ballots</i>	<i>Coolidge Surplus</i>	<i>Dawes' Result</i>	<i>Dawes' Ballots</i>	<i>Result</i>	<i>Donahey's Ballots</i>	<i>Result</i>	<i>Mellon's Ballots</i>	<i>Result</i>	<i>Davis' Ballots</i>	<i>Result</i>
Coolidge (R)	34	—4	30		30		30		30		30 Elected
Davis (D)	15		15		15		15			—15	Out
Dawes (R)	6		6	—6	Out						
Donahey (D)	10		10		10	—10	Out				
Hughes (R)	19	+2	21		21		21	+3	24	+6	30 Elected
Lowden (R)	22	+2	24	+3	27	+3	30		30		30 Elected
Mellon (R)	11		11		11		11	—11	Out		
Ritchie (D)	22		22		22		22	+8	30		30 Elected
Smith (D)	21		21	+2	23	+5	28		28	+2	30 Elected
Walsh (D)	17		17		17		17		17	+5	22
Exhausted				+1	1	+2	3		3	+3	6
Total	177										
Quota	30										

Politics indicated here but not necessary for system's operation.

The first choice ballots result as follows :

Calvin Coolidge	34
John W. Davis	15
Charles G. Dawes	6
A. Victor Donahey	10
Charles E. Hughes	19
Frank O. Lowden	22
Andrew W. Mellon	11
Albert C. Ritchie	22
Alfred E. Smith	21
Thomas J. Walsh	17

The total number of votes cast is 177, which divided by 6 is 29, plus 1 is 30. The only candidate who is elected on the first count is Coolidge who has 34 first choice ballots, or 4 more than are necessary. The four extra ballots, which may be drawn at random without examination and under public supervision from the 34 ballots at some central counting station, or selected in a more technical and mathematical way by the application of a ratio, are then applied as their second choices indicate. Hughes gets 2 of these and Lowden 2, bringing Hughes' total to 21 and Lowden's to 24. Since no one else has the necessary 30 votes, it is necessary to eliminate the lowest candidate, Dawes. Dawes had 6 first choice ballots, of which 3 go to Lowden, giving him 27, 2 to Smith giving him 23, and 1 which has no other choice marked than first thus becomes exhausted. Donahey is the next low man to be eliminated and his 10 ballots give 3 second choices to Lowden, perhaps more than that number but as 3 give Lowden the 30 that he needs (any additional ballots marked for him are passed on to the voter's third choice instead), give Smith 5, making him a total of 28 and 2 are exhausted. Mellon is the next low man to be eliminated, 3 of his ballots go to Hughes and 8 to Ritchie, electing the latter. Then Davis is eliminated and as 6 of his ballots go to Hughes, and 2 to Smith, those two are the final ones elected. Walsh gets 5 of Davis' ballots, but not enough to elect him, and 2 are exhausted.

The only ballots which did not actually participate in the election of a candidate are the 22 which were counted finally for Walsh and the 6 that were exhausted, a total of 28. Everyone except the 1 exhausted Dawes ballot voted for a successful candidate in all probability, and substantially all should be satisfied as having obtained some representation.

The Proportional Representation League and other advocates cite many advantages in favor of the single transferable preferential vote. They claim that under the older systems of election the result frequently has not been majority rule but government by the largest organized minorities, a majority of the people being represented by what they considered a choice of evils or not represented at all. Under the single transferable vote, the unorganized majority, and any minority which can show appreciable strength, is assured representation in proportion to the number of its votes. While all large minorities will be represented, none of them can be over-represented as frequently happens under the system of single-member districts. The gerrymander is effectually killed. Unorganized groups, without the time or experience requisite to make their influence felt through the formation of a new party, will be protected in their interests so far as this may be secured by a vote in the legislative body. Another argument is that under the proportionate representation which is secured there is less likelihood of an appeal to revolution because of a minority not having its side heard in the legislative chambers. While political machines no doubt will exist so long as there are elections, yet when the voters are free to nominate their real favorites by petition and to vote for them with almost a certainty that their votes will count toward their election the machines cannot wield a power out of proportion to their genuine support. The leadership of individuals with independent views becomes more pronounced than when the head of a party is bound by party expediency and record. Leadership and initiative thus are developed. Proponents of the system state that the results so far demonstrated in this country where the single transferable vote has been in vogue, show a better feeling in the election campaigns. They also assert there has been a reduction of fraud and that more men of large caliber are willing to offer themselves for the public service than when they have to go through the older political methods. An economy is effected for primaries no longer are necessary and likewise conventions are abolished where they have not been superseded by the newer agency for making nominations.

In opposition to the arguments of preferential voting advocates, it may well be said that the American Government has

developed its political expression through parties. While not anticipated by the framers of the Constitution, parties have demonstrated their utility in carrying out its provisions. Parties have conformed to the Constitution and the people are trained to operate through them. Under proportional representation, a very obnoxious minority to whom a large majority is opposed may secure enough seats to hold the balance of power and prevent effective governmental action. On the other hand, where representation is so distorted that one of the minority parties has a majority of the members, the situation has resolved itself into something of a dictatorship by a minority. The Conservative Government in England is the choice of only a minority of the voters owing to the division of the opposition between Liberal and Labor candidates. It is true that even under the majority system a majority party is not able to carry through its whole program because of temporary desertions of some of its members. Sometimes this is a transition period in party government meaning a new alignment in the course of time to represent the different issues before the public. The silver Republicans in the '90's largely acted with the Democrats in Congress, but with the coming of the election of 1900 most of them definitely had changed their party affiliations, having first written "Republican," then "Silver Republican" and finally "Democrat" after their names in the Congressional Directory. Party responsibility often is more far reaching than personal responsibility and pressure of a much broader character by party leaders may be brought to make good to the people. Advocates of proportional representation claim that it does not break down party government because if one party has the support of a majority of the voters it will be surer to control under that system than under any other. They also assert that the American two-party system is in name only since many of the members of the progressive group and farm bloc are only nominal Republicans. They further assert that even if no party has a majority, some controversial subjects may be decided by one combination of party representatives, another by a different combination, but all corresponding, perhaps, to the real alignment of the people.

List system.—List voting, a system of proportional representation which never has been introduced into this country,

is intended primarily for use with party candidates, although independents may file petitions and run under its provisions. Under the list system, the voter supports the party primarily. He votes for the list of the party which he favors and the seats available are distributed to the parties in proportion to the numbers of their votes. His favorite candidate may not win, but at least some one with his party principles will likely be chosen.

While this plan is used for parliamentary and other elections in many of the countries of continental Europe, its application in some details varies everywhere.²¹ The candidates' names may be arranged on the ballot in the order in which they will win election if their party ticket polls sufficient votes. Again, a voter may designate his first choice, who wins if he has more votes than his running mates and his party polls enough votes to secure one or more seats. This varies with the country where the system is applied. Take, for example, its application in Switzerland for the election of the national council. Assume that in a certain district there are four parties with lists on the ballot and that there are 16 seats allotted to the district. The Droop quota already described is determined by dividing the total number of votes by 17, one more than the number to be filled, and adding one to the result.

Party A	10,318
Party B	8,216
Party C	6,216
Party D	2,008
Total	26,758

The quota then is 1,575. Dividing this quota into the votes of the several parties we assign 6 seats to party A, 5 to party B, 3 to party C, and 1 to party D, a total of 15. The 16th then is assigned to the party which could show the largest number of votes per seat if the additional seats were given it. With one more seat party A would have 10,318 divided by 7, or 1,474 votes per seat; party B would have 8,216 divided

²¹ Belgium, Czecho-Slovakia, Denmark, Germany, Holland, Italy, Norway, Poland, Switzerland, Jugo-Slavia, Greece, Argentine, Finland, Cuba, Austria, Sweden, Bulgaria, Uruguay, Portugal, Iceland, Russia, Rumania, Luxemburg, Hungary, Danzig, Georgian Republic, Esthonia, Saar Valley, Lithuania, Latvia, San Marino, Far Eastern Republic and Liechtenstein use it in some form.

by 6, or 1,369 votes per seat; party C would have 6,216 divided by 4, or 1,554 votes per seat; and party D would have 2,008 divided by 2, or 1,004 votes per seat. The final seat therefore is given to party C. This method is similar in principle to the D'Hondt method formerly used in Sweden, Denmark, Jugo-Slavia, and Portugal.

Under the D'Hondt method, for example, party A polls 6,216 votes; party B, 4,209; party C, 1,859; and party D, 218. The total number of votes for each party or list is divided successively by 1, 2, 3, and so on, and then the quotient is the number in size corresponding to the number of seats there are to be filled. In this case, five are to be elected. The seats are determined as follows:

	<i>Party A</i>	<i>Party B</i>	<i>Party C</i>	<i>Party D</i>
	6,216	4,209	1,859	218
Divided by one;	6,216	4,209	1,859	218
Divided by two;	3,108	2,104	929	109
Divided by three;	2,072	1,403	619	72

The results give the numbers in the following order: 6,216, 4,309, 3,108, 2,104, and 2,072. The fifth of these numbers in size is a quota which will allot just the desired number of five seats and, as always would be the case, it is contained in the total vote of each party just the number of times that there are quotients for the party listed among the first five above. Party A, therefore, is assigned 3 seats and party B, 2.

If the list system were applied to the elections of representatives in Congress in this country, the most practical result would be that rarely would any party have a majority in the national House of Representatives, since all of the larger states would have at least one Socialist representative and many would have representatives of other minor parties. If the President were elected as a partisan and not as the head of a fusion movement, he might find himself in a very difficult position in his relations with Congress, for there would not be a party majority in the House to carry through his program for him. He might have been elected by a majority of the popular vote or even only by a plurality, or perhaps with a plurality opposed to him, but his candidacy represented certain issues before the people of the country at large.

A country with a parliamentary system of government could adjust itself to the list system of elections more readily than the United States where the powers of the Presidency have attained great heights in such administrations as those of Andrew Jackson and Woodrow Wilson. It is true that a President often has a majority in one or both houses of Congress against him, but the machinery of government runs most smoothly when the legislative body is in harmony with the executive.

The list system is regarded by proportionalists in all English speaking countries as decidedly inferior to the Hare plan, because it requires the voter to vote as a partisan, even when the candidates who best represent his point of view are not those of any one party list, and does not in any of its forms give the voters themselves complete control over the particular individuals to be selected.

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Questions

1. How did the term "gerrymander" originate?
2. What is gerrymander in effect?
3. What is gerrymander by Constitutional provision?
4. What is gerrymander by legislative action?
5. What is gerrymander by legislative inaction?
6. What is meant by the limited vote?
7. Will the limited vote give representation to minorities in proportion to their voting strength?
8. What is cumulative voting?
9. What often happens in Illinois under cumulative voting?
10. What is the Bucklin plan?
11. What is the principal defect of the Bucklin plan?
12. What is the Hare system of proportional representation?
13. What are the principal advantages of the Hare system?
14. What are the disadvantages of the Hare system?
15. What is the list system of voting?

CHAPTER XXII

PATRONAGE AND CIVIL SERVICE

Early Federal appointments.—President Washington began his term of office with the general support of the people. It was his conception of duty that he should be above party or faction, and his appointments at the beginning of his administration bear evidence of this. The adoption of the Constitution and the organization of the new government made vacant the different offices held under the Confederation. Washington reappointed such of the officials of the Confederation as he considered particularly fit and in the main his appointments were inspired by a disposition to apportion the offices equitably among all sections of the country, and to insist upon loyalty to the new government and capacity. Toward the end of his administration, after Jefferson had left the Cabinet and the division between the Federalists and the Republican-Democrats became apparent, he leaned toward the appointment of Federalists to office as he became converted to that doctrine of partisanship. John Adams succeeded Washington as a Federalist, and he filled the offices with men of that political persuasion. Thomas Jefferson assumed the Presidency in 1801 and found that virtually all the offices were filled by men who had not supported his candidacy. He was not a spoilsman in the modern sense of the word, but he felt that his party was entitled to half of the appointments, and he set to work removing those whom he valued the least and filling the vacancies with his own supporters. By the summer of 1803 Jefferson stopped making removals, feeling that the desired equilibrium had been obtained. The appointments that Washington, Adams, and Jefferson made were mostly from the substantial families who had supported the Revolution. With the succession of Jefferson by Madison, Madison by Monroe, and Monroe by John Quincy Adams, each the

Secretary of State of his predecessor, it was not to be expected that many removals would be made.¹

Spoils system established.—While with the disintegration of the Federalist party all was serene in patronage at Washington, this was not the case in the states. The contests for the control of the state governments were in many cases close. New York politicians were among the first to learn the use of patronage for strengthening the party in power.² Pennsylvania politicians saw its advantage and with the decline of the Federalists in Massachusetts and the rise of the Gerry supporters of Jeffersonianism, patronage was appreciated there, too. The influence of the state necessarily had to be felt at Washington. In 1820 a tenure of office act was passed, by means of which the term of certain Federal officials was made four years. This act was extended to include other groups but was not used for spoils purposes until the advent of the Jacksonian Democracy, in 1829.

Andrew Jackson entered office with the conviction that all who were not his friends were his enemies. He could see no reason why those holding office under Adams who had "cheated him out of the Presidency" should not make way for those who had supported him in his campaign, and "to the victor belongs the spoils." Jackson could not have appointed a man more likely to assist him in carrying out his wishes in patronage than that master politician, Martin Van Buren, whom he chose to be his Secretary of State. Reared in Kinderhook, a Federalist community, Van Buren had fought his way up the political ladder to the top in New York and he had learned all of the advantages likely to accrue to a party through the use of the appointing power to reward supporters. Washington was filled with office seekers during the early months of the Jackson regime, and wherever possible, and their party record merited it, they were installed as successors to those appointed during the preceding administrations. Collector of the Port Swartout, of New York, stole something over \$1,250,000 and then fled to Spain. There was much laxity in the land offices.

¹ See Annual Report, U. S. Civil Service Commission, vol. xv, (1898), pp. 443 et seq.; Carl R. Fish, "Civil Service and the Patronage" (1905); William D. Foulke, "Fighting the Spoilsman" (1919); Samuel P. Orth, "The Boss and the Machine" (1919).

² Howard L. McBain, "Dewitt Clinton and the Origin of the Spoils System in New York" (1907).

Clay, Webster, Calhoun, and other opponents of the administration criticised the removals for party purposes, but when the Whigs came into power in 1841 under Harrison, the party workers had seen too much of the fruits of patronage. The Whig administrators bowed to the party will and made party service the principal standard for appointments. With the alternating of control of the government up to the Civil War, the office holders went out as the party affiliation of the Presidency changed. Each change of party brought a greater change of officials, for the employees of the government were gradually increasing in numbers. The changes were not confined to the offices held in Washington, but also included the mass of postmasters and other officials throughout the country. The only appreciable change seen by many of the voters as one party lost control to another was the displacing of the postmaster or other local Federal officials by one of the victorious faith. They wanted to see a concrete local manifestation of the change of national control.

First reform legislation.—The first attempt to secure qualified appointments by legislative action came in 1853. Congress then prescribed that departmental clerks should be arranged in four classes and before appointment a clerk had to be examined by a board of three selected by the head of the department. This was known as the pass-examination. The law was applied rather extensively for a few years and then was neglected in observance. In practice, members of Congress of the party in power would introduce applicants for examination. The examiners were susceptible to influence, for if they offended the party in power they would lose their positions. Appointments still were made largely upon recommendation of the administration supporters in Congress. Aspirants from outside the ranks of the party were not encouraged to take the examination.³

The next important step was taken in 1871, when the President was authorized to prescribe regulations for admission to the civil service covering age, health, character, knowledge, and ability. Congress gave neither money nor moral support for the act and it was abandoned by President Grant in 1873, although it is still on the statutes.⁴

³ Lewis P. Mayers, "The Federal Service" (1922), pp. 41-42.

⁴ U. S. Statutes at Large of 1871.

Pendleton act.—The assassination of President Garfield in 1881 by a disappointed office seeker was responsible for the passage by Congress of the Pendleton act which still remains the basis of the Federal civil service system. Out of Congress it had the support of such men as George William Curtis, Carl Schurz, and Dorman B. Eaton.⁵

The Federal Civil Service Commission is composed of three members, not more than two of whom are of one political party. They are appointed by the President with the consent of the Senate. The commission is required to aid the President in preparing suitable rules for the purpose of holding open competitive examinations, designed to be a test of the applicant for the position in question. Candidates are certified from the eligible list to the appointing official in groups of three each, the highest on the roster. The certification of three does not prohibit the President or his subordinates in his behalf from exercising the Constitutional right to appoint.⁶ Service begins with a probationary period of six months. No person in the service is under obligation to contribute to political funds and none is permitted to participate actively in party politics. Removals must be for cause with reasons given in writing and the person given an opportunity to answer. The President may by his order place within the classified service employees not originally included. The geographic basis is to be considered in the certification of eligibles.⁷

Arthur placed Eaton at the head of the commission. In 1884 both parties favored it in their platforms, and Cleveland had much difficulty in keeping his party from overturning the system. Just before he left office the railway mail clerks were brought under the law. Most of them were Democrats, his appointees. This move on Cleveland's part angered the Republicans and Harrison suspended the order, made many removals, and when it was at last operative few Democrats

⁵ Fred P. Powers, "The Reform of the Federal Service," in *Political Science Quarterly* (1888), vol. iii, pp. 247-281; Henry Jones Ford, "Political Evolution and Civil Service Reform," in *Annals* (1900), vol. xv, pp. 145-159.

⁶ 13 Op. Atty. Gen., 516, Aug. 31, 1871; also see *People ex rel Balcolm vs. Mosher*, 45 App. Div., 68, appealed in 163 N. Y., 32.

⁷ For question of constitutionality see Harold Harper, "Constitutionality of Civil Service Legislation," in *Political Science Quarterly* (1907), vol. ii, pp. 630-644; B. A. Arneson, "Constitutionality of Merit System Legislation," in *American Political Science Review* (1919), vol. xiii, pp. 593-606.

remained. Cleveland made about 20,000 removals, virtually all in the unclassified service, during his first term. Harrison dismissed 35,850 within little more than a year after his inauguration, many being in the railway mail service. Harrison enforced the classified service, and brought within it a part of the Indian service. Theodore Roosevelt was appointed to the Commission by Harrison, and when it was charged that only Republicans could get office, the commissioner told Southern newspaper correspondents to urge more Southerners to take the examination to give them their share of the appointments. Cleveland widely extended the classified service in his second term, adding 29,399 by one order. The Republicans in Congress were on the verge of revoking Cleveland's orders when the McKinley administration opened, but war with Spain diverted their attention to patronage which arose therefrom. In 1899, McKinley removed 3,693 places from the classified service, and transferred 6,414 from the jurisdiction of the commission to that of the Secretary of War. Taft made many additions to the classified service in 1912, including the deputy collectors of internal revenue, deputy marshals, and all of the fourth class postmasters. Wilson required all of the fourth class postmasters who had not secured their positions by competitive examinations to submit to the same. He approved the action of Congress in the urgent deficiency bill of October 22, 1913, exempting the deputy collectors of internal revenue and the deputy marshals. These important offices were filled by former Republican politicians, which piqued the large Democratic majority in Congress.

Recent changes and operations.—Wilson made a great forward step when he provided, by order of March 31, 1917, that all vacancies occurring in Presidential postmasterships by death, resignation, or removal (expiration of term not included) should be subject to an examination conducted by the commission. The Postmaster-General then was to submit to him the name of the highest eligible. These positions were subject to confirmation by the Senate, and it apparently was his intention to reappoint the incumbents when their terms expired. He had no authority to place them directly in the classified service. Following the close of the World War, and influenced partly by the sentiment displayed for the veterans, he modified his order by providing that in the event the

highest eligible was not a former service man the Postmaster-General should submit such a person in addition, if one were qualified. Shortly before his administration ended Postmaster-General Burleson ascertained that of the 2,103 postmasters appointed under this order in every state of the Union, 1,102 were Democrats, 907 were Republicans, 32 were Independents, 10 were Prohibitionists, 3 were Socialists, 120 had no affiliation and 10 failed to state their politics. Thus Wilson made less than half of these appointments to members of his own party, accepting these figures as correct. Among the Republican appointments was one in the largely Democratic city of Boston, where a former Democratic mayor was among the applicants. President Harding received much pressure to change the Wilson order, which he did on May 10, 1921, when he provided by executive order that all appointments should be made by virtue of an examination conducted by the commission, in which the three highest should be certified to him, with a former service man in addition, if not in the three. Rules for the examination were made providing that the applicants should have three years of business experience commensurate to the position of postmaster. This was afterwards modified to provide that this experience should be shown in three years, which served to enable the commission to certify certain applicants with political support who had not qualified under the earlier instructions, which inferred a continuous experience of three years. Each service man was given an additional 5 per cent without additional certification. At this time there was no Democratic member of the commission. Two of the members were Republicans and the other had designated herself as a "California Republican." A great deal of pressure was brought upon the commission by senators and representatives in behalf of favorites. The commission frequently revised the grades of its own examining boards under pressure, and names thus inserted in the first three often were appointed. The National Civil Service Reform League found that the Harding administration, up to March 1, 1922, promoted 1,072 from the classified service to the postmasterships, out of a total of 4,661 appointments, or 23 per cent. Of the appointments made under competitive examinations, 2,165 or 60.3 per cent were given to the first person on the eligible list, 927 or 25.8 per cent to the second person and 497 or 13.9

per cent to the third person. However, out of the 2,528 cases in which there was any choice, the highest man was appointed in 1,104 cases, or less than 44 per cent, and a lower man in 1,424 cases or less than 56 per cent. Of the 133 cases in which there were only two eligibles, the first man was appointed in 69 cases and the second in 64 cases. In the 193 cases in which there were three men on the list, the first man was appointed in 71 cases, the second in 52 cases, and the third in 70 cases. This contrasts to the record under President Roosevelt, where 90 per cent of all appointments were made from the head of the list. The League inquired as to the politics of 92 appointees, and found that 90 were Republicans and two Democrats.⁸

The practical political influence that always operated in the Post Office Department since Postmaster-General Hitchcock's incumbency under Taft on rural mail carriers and fourth class postmasters, and now is observed in the Presidential post offices, is great. When a vacancy occurs, the Postmaster-General transmits to the senator from the state or the representative of the district a letter giving the names of the eligibles for the position and asking for a recommendation as to general fitness. A letter is received in reply usually giving a preference. If the representative or senator belongs to the same party as the administration, his recommendation is followed in making the appointment. If there is no representative or senator of the same party from the state, the party organization is consulted and makes a recommendation. As a consequence most of the rural mail carriers and fourth class postmasters appointed are of the same political persuasion as the administration. At the present time, if an official of a Republican political committee writes the civil service commission relative to the grades of a post office aspirant, his letter receives the same expedited attention as one from a senator or a representative.

President Coolidge in his message to Congress, delivered December 9, 1925, said: "The time has come to consider classifying all postmasters, collectors of customs, collectors of internal revenue, and prohibition agents, by an act covering those at present in office, except when otherwise provided by executive order." This would have to be done first by an act of Congress. It would result in giving life positions to men

⁸ "Presidential Postmasters," a report to the National Civil Service Reform League (1922).

appointed largely through political endorsements. This is what has happened generally in the past in such cases, but eventually the positions would be filled by those promoted on merit. Doubtless the Democratic party in Congress would oppose such action unless competitive examinations were arranged for the first appointments under the order, these positions being held at present by Republicans, and large sections of both parties would oppose it, whatever the circumstances of first appointments.

Civil service advocates, in urging the extension of civil service laws, now call attention to the fact that to deprive a party of its patronage is to cause a more general response by the voters on the merits of the issues. In other words, without patronage to dispense to the workers, the party record becomes paramount. They also recognize that the application of the laws should be rigid enough to prevent incompetent and politically influenced promotions and yet lax enough to enable the responsible official to get rid of his dead timber and make such changes that will benefit the public service.

State and municipal laws.—State laws modeled after the Pendleton act have been passed in New York, Massachusetts, New Jersey, Maryland, Ohio, Illinois, Wisconsin, Nebraska, Colorado, and California. Connecticut, in 1921, repealed one. In Maryland an employment commissioner, and until recently in California a civil service commissioner, takes the place of the bi-partisan commission that exists in the other states as in the Federal government. The appointments are susceptible to considerable political influence in some of the states. In Illinois, a Democrat who took office in 1913 as Secretary of State found his office filled with Republicans protected under civil service regulations. He set to work and removed substantially all of them, replaced them with Democrats, and then announced his candidacy for United States senator, calling particular attention to his civil service removal record. In that state at the present time the administration of the system is weak. Kansas has a law but no appropriations are made to enforce it.

About two hundred municipalities and a few counties have civil service laws. In some, political influence is great. It is customary in New York City for most applicants whose names are on the eligible list for appointments to secure the endorse-

ments of their district party leaders. In Chicago, under Mayor Thompson, the administration of the law has rendered the system almost a joke.

Patronage.—Patronage is of great strength to any party; likewise, the distribution of it is a curse to any party. This is true particularly when there is no universally recognized leader in the community through whom passes the final say on all such matters and in whom the workers place full confidence as doing the best that can be done. It has been said that every appointment means one ingrate and twenty enemies. The greatest amount of patronage comes from executive distribution.

The principal appointments of the President are not under the classified service. Even if some desirable berth is classified, it still is within the discretion of the President to appoint someone from outside the eligible civil service rolls by an executive order. Succeeding executives usually recognize the sanctity of such appointments, and do nothing to remove them from the pay rolls. The President appoints the members of his Cabinet, the assistant secretaries and assistant attorneys general and assistant postmasters general, departmental solicitors, chiefs of bureaus, ambassadors and ministers, justices and judges of the Federal courts, governors of the territories and insular possessions, internal revenue and customs collectors, marshals, members of commissions and many other offices which not only pay well financially, but give the recipient standing in the social and political world. He also appoints the first, second, and third class postmasters subject to such civil service regulations as he desires to recognize. His appointees also have considerable leeway as to choice of their personnel and they reflect the Presidential wishes in such matters in the event that he is interested enough to intervene.

With all this appointing power it is not the province of the President to go out and seek the best qualified men for each position. In a political sense any administration is a failure which cannot succeed itself or yield to one of similar political faith. If the President sought the best available timber without any other considerations he would find he would be unable to secure the passage of a legislative program if he had one in view. His international policies would be hampered through lack of support in the Senate. He would find it diffi-

cult to have his campaign for re-election financed. The best trained men politically would not find it worth while to fight for his re-election and to back men for Congress who would support his policies. Therefore, he must take into consideration the practical political side and suffer, perhaps, because of a somewhat lower type of office personnel which he secures thereby.

Probably the first consideration must be given to his legislative supporters. Without an active and enthusiastic support behind him in Congress he is at a loss to proceed. Therefore, the senators and representatives of his own party are the real patronage dispensers for local Federal positions in their own states. Senators are particularly influential. Since the major appointments are made by the President with the advice and consent of the Senate, they so hold the upper hand in these matters that the practice of senatorial courtesy has arisen. Under senatorial courtesy, if the President makes an appointment to a local office in the state of a senator of his own party, and if the person named is objectionable to the senator for any reason whatever, he requests the Senate to reject the appointment, which is done. Hence the President finds it advisable either to consult the senator and secure his approval, or follow his recommendation before he sends in a name to the Senate. Then, again, under senatorial courtesy, if the President names a man to an office, regardless of the politics of the senator, and his appointee has made unparliamentary references concerning the senator, the senator may request that the appointment be rejected, and the Senate will comply with the request. Truth is no defense in such matters. The practice has been carried even further, so that when the President names a senator to an office, he is immediately confirmed without reference to a committee. The Senate may be controlled by enemies of the President who are holding up all his appointments, but an exception will be made of such cases and also, at times, of the persons named as postmasters of the home post offices of the members of the body.

The representatives in Congress do not have the same influence in patronage matters although they are allowed to indicate to the Postmaster-General their choices of the postmaster-ships of their districts. If there is no member of the President's party from a particular state in the Senate, then often

the representative is consulted on the general appointments to be made therein.

The President has others to consider in making appointments, particularly those for the larger offices. Wealthy men who have been contributing to campaign funds are provided with diplomatic posts. Their campaign contributions are as essential for future party success as they were in the past. He may be bound by convention or campaign promises by his managers in a few cases. Then a man may have rendered such distinguished party services that he merits the best the administration has to offer. President Benjamin Harrison recognized this when he made James G. Blaine, once Presidential candidate, Secretary of State. President Wilson gave the same reward in the case of William J. Bryan and President Harding in that of Charles E. Hughes. Then a man's presence in the official family may be desirable because of the influence he has on a certain group in Congress. Such appointments add legislative support to the administration.

Not the least to be considered are the members of the national committee of the party. In states where there is no representation in Congress the national committeeman is made the patronage referee for the state. He and the woman co-member were selected as the official representatives of the party from the state. The committeeman is in a position to know what deserving Democrats or Republicans should be rewarded in passing around appointments.

The sole political consideration may not be that of party loyalty but one of factional loyalty. President Taft refused to recognize during his administration the recommendations for patronage of a group of insurgent senators and representatives from the West. He felt that they were attempting to undermine his administration and that he was justified in consulting instead party workers who were loyal to his policies.

The patronage of the governor is dispensed in the same way. Since the Senate has the right of rejection of his appointments, he must meet the wishes of his party senators on local appointments. Again, he must consult the members of his lower house or they will fail to give him party support. So it is with the mayor and his council. Other executives find it necessary to consider the legislators, or their appropriations will be cut. Then the leaders of the party organization cannot

be ignored or they will get behind another aspirant and the incumbent will lose the nomination when he seeks re-election or another office.

Members of legislative bodies often are in a position to secure appointments for themselves or their friends by virtue of their votes. The President or governor may be interested in an important piece of legislation which is under consideration. Often many compromises are necessary in order to secure the passage of such measures and at times a legislator may withhold the pledge of his vote until assured he will get a certain position for himself or a constituent. The President or governor is forced to yield and make the appointment, knowing that the legislation cannot be enacted without the vote in question.

Executive patronage is, therefore, through the practice of politics, a combination of executive and legislative recommendations. The legislator even builds up a personal machine in his constituency through the use of his recommendations to the executive. There is patronage which is exclusively legislative. Such is the employed personnel of the legislative bodies, but this is small in amount. Often members of legislatures provide "junketing trips" for themselves at the governmental expense for the purpose of visiting public property or institutions. Again, members of the legislatures have themselves named as members of commissions to codify state laws, and here provide compensation for themselves for their efforts. It is not uncommon for members of legislative bodies to require persons appointed by them to the legislative pay rolls to donate a certain amount of the salaries for campaign or other political expenses or perhaps to be pocketed by the legislator. A few years ago a representative in Congress from Kansas had some patronage at his disposal in the form of additional clerical hire. Each person he placed on the House pay roll gave him a percentage of his salary. Probably he felt that this was a legitimate way of securing contributions to his campaign funds since the persons so appointed received the benefit from his success in the election.

Members of the House of Representatives are allowed \$4,000 annually for clerical hire. This money presumably is divided between two clerks in such proportion as the member sees fit. In many cases the larger part of the work is done

by one person and the salary for the other position goes to a member of the family of the congressman, who often does not devote much time to office duties. Some members of Congress pay their personal secretaries, who have no official duties, one of the salaries. Similarly an annual allowance of \$100 is made to members of Congress for stationery. They may draw all of this in advance, spend it as needs arise, and keep any available surplus, or leave it to their credit in the stationery room and check against it in purchases.

The smallest amount of patronage is the judicial. Judges of Federal courts appoint their clerks and shorthand reporters. Ordinarily they observe their own political affiliations in so doing. Certain states and local judges have patronage at their disposal. In 1927, Tammany refused endorsement of four sitting Republican judges of the city court in Manhattan Borough partly because these officials had considerable patronage at their disposal. Masters in chancery and referees are appointed by judges, and these are lucrative positions.

Perquisites.—There exists in the administration of public offices much which may be directed to the advantage of the party in power. These favors may be entirely of a legitimate nature—legitimate in the sense that no law is violated in their distribution. In many cases the public loses because of increased taxation or poorer service resulting therefrom.

The Vare machine rose to power in Philadelphia because of the contracts that the three Vare brothers made with the city. These contracts were on their face legitimate but the officials who let them might have had the work done more reasonably and efficiently by seeking competition. In 1927, the mayor of Philadelphia debated whether to award a contract for the construction of the South Broad street subway to a local firm for \$170,000 more than an outside corporation offered to do the work. Even though there is no dishonesty in such contracts, it is obvious that the contractors will contribute to the support of an administration that will favor them with business.

Another great source of income is the interest on public money. Often state, county, and municipal treasurers do not have to account for the interest on the public money which they have in custody. They may deposit this in banks and receive the interest therefrom. This practice is prohibited in

many states, and in 1927 Len Small of Illinois was forced to repay about \$650,000 which he illegally withheld while state treasurer; yet there are many places where interest on public funds is considered a legitimate source of revenue. It is a great advantage to a bank to have these deposits, and its officials will contribute to the campaign funds of men who indicate their intention of giving them the custody of the public funds.

Legislative trading.—Two means of securing favors for a legislator's constituents which are engrained thoroughly in American political practices are the "pork barrel" and the "log rolling" processes. "Pork barrel" legislation is that which gives a favor each to a large number of legislators supporting the measure. Hence a public buildings bill provides for the construction of post office buildings all over the country and includes in its provisions one for almost every rural Congressional district.

By "log rolling," one member promises to vote for a certain measure provided another member or members will support in return one in which he is interested. A shrewd legislator may be able to secure many favors for his constituency by these methods.

Ripper legislation.—Ripper legislation is the passage of a law taking authority from one source and placing it in the hands of another which is in sympathy with the views of the legislative body authorizing the change. Ripper legislation often applies to cities where power is taken from municipal authorities and placed under state direction. Frequently, too, it means the transfer of power from one department of the government to another. Always the transfer means a partisan or factional change of administration.

Graft.—Graft is payment in money or property for an improper act of a public official. It is a broader term than bribery, because the recipient may arrange the entire transaction.

An old form of graft was that which arose from the legislative jack pot. This was largely bribery. An Illinois politician, once secretary to the lieutenant governor of the state, recently explained the jack pot as it operated when he was an official at the state capitol. There were groups of men in both of the major parties who were susceptible to the influence of

bribes. Each group would have a leader. Ordinarily, but not always, the leader would be able to vote his group as a unit on all measures in which it was possible to get contributions for the jack pot. At the end of the session the leader would take all of the money he had received from these sources and divide with his following. Occasionally a man would receive a part of a contribution in behalf of a measure which he had personally opposed, but the leader divided the money equally, since he wanted to do the best he could for all of his following.

A large amount of graft now arises in cities from the underworld. In numerous cities throughout the country "speak easies" are in operation at the present time, in violation of the Eighteenth Amendment, the Volstead act, and state prohibition enforcement laws. In many cases these establishments are on the ground floor of buildings. Entrance is secured by a card which is presented at the door, indicating membership in a club. In others, the bartender opens a small window and admits anyone whom he recognizes as a patron. These "speak easies" are popular and must be a source of great revenue to their owners. It is obvious that they could not be in existence without police protection. In some cases it is possible that Federal officials have been bribed, so flagrant are the violations of the law. This graft money may be kept in the police department, or it may pass through the hands of the politicians who control the department and protect the "speak easies" from raids. The very general disregard in which the Eighteenth Amendment is held by masses of American people makes it very easy to promote a profitable business in the sale of intoxicants with the protection of public officials.

One enterprising bootlegger who has a clientele among the wealthier citizens of a large city is said to take a large amount of money monthly to the city hall for distribution among members of the political machine which is in control.

Gambling establishments often pay a percentage of the profits to the public officials. The "red light" district in Chicago was a source of graft in the days of its existence.

Much graft is possible in paving and other municipal contracts. A contractor went to a small city in the Middle West where considerable paving was to be done and inquired as to the necessity of including in his bid enough to take care of the

officials who expected "theirs" when the contract was completed and the contractor paid. He got the bid.

The present state capitol at Harrisburg cost Pennsylvania \$9,000,000. About \$7,000,000 of the amount was wasted.⁹ There have been many instances of such graft in court houses and city halls the country over. The Government's policy of letting contracts at cost plus 10 per cent, during the World War, was called unsound because the opportunity for corruption was too great.

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⁹ *World's Work*, vol. xiv, p. 9237.

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Questions

1. Upon what basis did Washington make his first appointments to office?
2. What was Jefferson's attitude toward appointments?
3. Where did the spoils system originate in this country?
4. Under what President was the spoils system introduced in national affairs?
5. What was the policy of the Whigs toward the spoils system?
6. When and what was the first reform legislation?
7. What step was taken in 1871 toward civil service reform?
8. For what was Garfield's assassination directly responsible?
9. What was Cleveland's attitude toward the civil service?
10. What was the greatest step which Wilson took for civil service reform?
11. Is the Wilson policy the present method?
12. What practical political influence is exerted in the naming of postmasters and rural mail carriers?
13. What did President Coolidge recommend in his message to Congress on December 9, 1925?
14. What is the situation when a party is deprived of its patronage?
15. Has civil service reform made much progress in states and municipalities?
16. Is patronage always a strength to a party?
17. From what source does the greatest amount of patronage come?
18. Are the principal Presidential appointments under the classified service?

19. Does the President go out and seek the best material in the country?
20. With whom must the President consult?
21. What recourse has a senator if the President names a man who is not satisfactory to him to a position in his own state?
22. Are representatives in Congress influential in patronage matters?
23. To whom outside of Congress is the President bound in making appointments?
24. Is party loyalty the sole political consideration a President need recognize?
25. How do governors and mayors distribute patronage?
26. How may members of a legislative body often secure patronage from a reluctant executive?
27. May the legislator build up a personal machine through executive patronage?
28. Do members of the House of Representatives ever secure larger compensation than the letter of the statute would indicate?
29. Which branch of the Government has the smallest amount of patronage?
30. What is meant by perquisites?
31. Give examples of perquisites?
32. What is meant by "pork barrel"?
33. What is meant by "log rolling"?
34. What is "ripper" legislation?
35. What is "graft"?
36. What is meant by "jack pot"?
37. From what sources may graft arise in cities?

CHAPTER XXIII

PARTY LINES IN OFFICE

Control.—It is expected that a party having an actual majority in a legislative body will organize by electing the officers and controlling the committees. If a party does not have an actual majority, one of the larger parties may organize by making concessions to minor groups represented in the body and thus securing the organization control. It may be that the party with the majority of members may not be able to organize the chamber because of the refusal of discordant elements in it to “go along” with the others. Such a condition may result in a bi-partisan control. Good instances of this are in the Illinois legislature. In 1909, the Republicans had an actual majority in the House but a large group refused to be bound by the party caucus and named a former Speaker, Shurtleff, for that office. Eventually the entire Democratic membership voted for Shurtleff, he was elected, and he distributed the committee chairmanships among his Republican supporters and the Democrats. In 1913, with no party having a majority but the Democrats the greatest strength, the solid Republican membership voted for a Democrat named McKinley, who had the support of a minority of Democrats, and elected him. In 1915, neither party voted solidly and a Republican named Shanahan was elected who distributed the chairmanships among both parties and even gave the Democrats control of several committees, despite the fact the Republicans were in the majority.

The Chicago city council for a time, when its members were elected as partisans, adopted the policy of non-partisanship in forming the committees.

Very often a party will have a paper majority and yet beyond the stages of organization they never will have actual control. This situation was illustrated well in the Sixty-eighth

Congress, elected in 1922. The Republicans had a small paper majority in both Houses. They elected the House officers and perfected the organization of the Senate with the exception of the choice of the inter-state commerce committee chairmanship. After that, they never controlled on an administration measure, for a group of insurgent Republicans in both Houses voted with the Democrats. Even a contested election case, Chandler vs. Bloom, upon which depended the vote of New York in the event the Presidential election of 1924 were thrown into the House, was decided in favor of the Democratic contestee.

Often a group in a party will hold up the organization until certain demands are met. The LaFollette Republicans prevented Gillett's election as Speaker of the House in 1923 until they were assured of an opportunity to change the rules.

It often is not advantageous to a party which has not a majority to attempt to organize a legislative body. The Democratic party could have organized the Senate of the Seventieth Congress, elected in 1926, by agreeing to give progressive Republicans certain chairmanships. The party leaders felt that without controlling the Presidency, they would have nothing to gain by being held responsible for the legislation in the Senate. They, therefore, acquiesced in the Republican organization of the body.

The party which organizes the legislative body is entitled to the patronage which this entails, including the principal officers, doorkeepers, guards, committee clerks, stenographers, messengers, pages, and other employees. The minority is given a limited amount of patronage to take care of party conferences and similar matters. Members always are permitted to appoint their personal assistants, such as secretaries and stenographers.

Party caucuses and conferences.—A caucus ordinarily contains in its membership all of the members of the party of recognized regularity in a legislative body. A party caucus seeks to bind its membership to a plan of action. The caucus is organized prior to the convening of the legislative body, at which time it chooses a chairman, secretary, and other officers. Often the party leader in the legislative body also is caucus chairman. In many legislative bodies if a member refuses to attend a caucus called to secure party action on a certain

measure he still is considered in the good grace of the party. Often he may refuse afterwards to be bound by the caucus and vote otherwise than directed by it and still as a matter of expediency he will not be expelled from caucus membership. As an example of the former case, for many years prior to the adoption of the Eighteenth Amendment to the Constitution, the Democratic "wets" were greater in number than the "drys" of the same party in the Illinois legislature. Therefore the "drys" would refuse to attend party caucuses called to secure action on local option or other prohibition legislation. As an example of the latter, during the Sixty-third Congress, when the Democrats put through a legislative program because of party caucus, Representative Witherspoon, of Mississippi, refused to be bound by the action of a caucus on the Federal Reserve bill which he had attended and the party took no action to discipline him. Similarly, Senator Hitchcock, of Nebraska, and other Democrats refused to be bound in the Senate and the party took no action against them.

A majority in a caucus always determines party officers and candidacies for offices in the legislative body. Ordinarily a majority determines the action of the party on legislative matters, although this is contrary to recent Democratic practice in Congress. Where a majority may determine party action, and there is sufficient cohesion to force the party to obey the mandate of the caucus, it is particularly important. A legislative body might be composed of 151 members. Seventy-six of the members might be Republicans and 75 Democrats. The Democrats might be a unit in opposition to a certain measure and the Republicans divided. Assume the Republicans called a caucus to bind the party and the vote there showed a bare majority, or 39, in favor of the measure, to 37 against. As a matter of judgment, then, 112 were opposed to the measure for which the 39 in the Republican caucus were able to secure party support and passage, and yet they were but slightly over one-fourth of the entire membership in the body. When the Eighteenth Amendment to the Constitution was submitted to New York for ratification, dry leaders in the state found that an actual majority in the state legislature opposed it, including practically the entire Democratic membership. Party leaders were prevailed upon to call a caucus of Republican members, that party being in control. At that caucus wet

Republicans, who had made pledges in opposition to the Amendment during their campaigns, were instructed to vote for its ratification. In that way, by caucus action, New York ratified the Amendment.

The legislative program of President Wilson's first term largely was the result of caucus action on the part of his party. In adopting rules in the House and Senate, the Democrats sought to eliminate some of the objectionable features by requiring a two-thirds vote to bind members, with a majority of the party present. In addition, a member who had made a contrary promise during his campaign was excused from caucus instructions. Even by these provisions, actual minority rule might have, and perhaps did at times, dominate a legislative body. Without caucus action, it would be difficult in Congress to pass a tariff of low schedules. With one party in favor of higher duties, it would always be a temptation to members of the low tariff party with constituencies favoring protection on certain articles to vote for the higher duties. Thus the symmetry of the bill would be destroyed. The members then could explain to their constituents that they went into the caucus and fought for higher rates on the home products schedules and were out-voted by their party colleagues and thus they discharged their obligations to their districts and states.

The present rules of the House Democratic caucus, similar to those used by the Senate and House Democrats during the Wilson administration, follow:

PREAMBLE

In adopting the following rules for the Democratic Caucus, we affirm and declare that the following cardinal principles should control Democratic action:

- a. In essentials of Democratic principles and doctrine, unity.
- b. In non-essentials, and in all things not involving fidelity to party principles, entire individual independence.
- c. Party alignment only upon matters of party faith or policy.
- d. Friendly conference and, whenever reasonably possible, party co-operation.

DEMOCRATIC CAUCUS RULES

1. All Democratic Members of the House of Representatives shall be *prima facie* members of the Democratic Caucus.

2. Any member of the Democratic Caucus of the House of Representatives failing to abide by the rules governing the same shall thereby automatically cease to be a member of the Caucus.

3. Meetings of the Democratic Caucus may be called by the Chairman upon his own motion and shall be called by him whenever requested in writing by twenty-five members of the Caucus or at the request of the Party Leader.

4. A quorum of the Caucus shall consist of a majority of the Democratic members of the House.

5. General parliamentary law, with such special rules as may be adopted, shall govern the meetings of the Caucus.

6. In the election of officers and in the nomination of candidates for office in the House, a majority of those present and voting shall bind the membership of the Caucus.

7. In deciding upon action in the House involving party policy or principles, a two-thirds vote of those present and voting at a Caucus meeting shall bind all members of the Caucus: Provided, The said two-thirds vote is a majority of the full Democratic membership of the House: And provided further, That no member shall be bound upon questions involving a construction of the Constitution of the United States, or, upon which he made contrary pledges to his constituents prior to his election, or received contrary instructions by resolutions or platform from his nominating authority.

8. Whenever any member of the Caucus shall determine, by reason of either of the exceptions provided for in the above paragraph, not to be bound by action of the Caucus on those questions, it shall be his duty, if present, so to advise the Caucus before the adjournment of the meeting, or if not present at the meeting, to promptly notify [sic] the Democratic leader in writing, so that the party may be advised before the matter comes to issue upon the floor of the House.

9. That the five-minute rule that governs the House of Representatives shall govern debate in the Democratic Caucus, unless suspended by a vote of the Caucus.

10. No persons, except Democratic Members of the House of Representatives, a Caucus Journal Clerk and other necessary employees, shall be admitted to the meetings of the Caucus.

11. The Caucus shall keep a journal of its proceedings, which shall be published after each meeting, and the yeas and nays on any question shall at the desire of one-fifth of those present, be entered on the journal.

Often a caucus will have no set rules, being guided merely by the ordinary parliamentary practice. In such cases resolutions are adopted on matters of policy which have a binding force on the members attending or claiming allegiance. Be-

cause of the lack of unity of purpose in the Republican membership of Congress in recent years, no attempt has been made to bind the members of that party to caucus action for a legislative program. Senators like the LaFollettes of Wisconsin, Norris of Nebraska, Borah of Idaho, Frazier, Ladd, and Nye of North Dakota, and Brookhart of Iowa would refuse to be bound by a party caucus. It is likely that if one had been held in the Senate at any one time since 1921, with the idea of binding the members to a legislative program, less than an actual majority of the membership of that body would have attended. Without assurance that a caucus would bind a majority of the members of a legislative body, it would be futile to hold it.

Caucuses may be either open or closed. Until recently all have been closed and the members generally have been bound not to advise the public of the details of the discussions. The Democrats in Congress generally hold their caucuses in executive sessions but allow the press and others interested to examine a report of the proceedings. This action was criticized even by members of that party as concealing from the public debate of which it had a right to be informed. Republican caucuses in Congress are open to the public at the present time, but since they function principally to choose party officials they are not so important as where legislation is considered.

Members may be expelled from a party caucus for action which they have taken outside of the legislative chamber. The name of Representative Akin, of New York, was dropped from the Democratic House caucus roll in 1911 because he announced publicly that he was not a Democrat although elected principally by Democratic support. In the Presidential campaign of 1924, a group of Republican senators and representatives supported the independent Presidential candidacy of Senator LaFollette. As a result, the Republican caucuses of the Senate and House adopted resolutions barring these men from caucus membership and providing independent assignments to committees with loss of seniority rights. In the next Congress, with party control more slender, they were invited to return to caucus membership.

A party conference is a less formal gathering of party members without, as a rule, the binding force ordinarily imposed by a caucus. The Progressive party sent a group of about

twenty men to the House of Representatives in the elections of 1912. These men assembled and organized themselves into a conference with no effort to bind their members in their actions in Congress. This was done partly as a contrast to the stringent caucus which the Democrats were employing in the House.

Choice of committees.—Committee assignments are of prime importance to members of legislative bodies. Since a large part of the legislative work transpires there, it is essential that the parties have such capable representation on committees as will enable the fight to be made therein for party principles before measures are brought to the floor for passage.

Ordinarily the majority and minority parties are entitled to such representation on committees as they have proportionately in the legislative body. If a legislative body has 100 members, of whom 60 are Republicans and 40 Democrats, and it has a committee of ten members, there should be on that committee six Republicans and four Democrats. Often, however, the majority party will take advantage of its power in organizing by giving itself a greater number of committee assignments than it is entitled to have proportionately. Sometimes, in the opinion of the leaders, it is essential to party success that this be done. When the Republicans organized the United States Senate in 1919, they had an actual majority of two members which would have entitled them to a majority of a single member on each committee had they taken only the committees seats to which they would have been entitled proportionately. On the committee on foreign relations, which was to have under consideration the Versailles treaty, they gave themselves an actual majority of three greater than their majority in the entire chamber. They also gave themselves a similar majority on the finance committee. Thus they retained control of both committees even if one of the majority members joined the minority on a proposition. At the same time the Republicans organized the House. Had a proportionate rule been adopted, one of the Democratic members on the ways and means committee would have lost his seat, so the committee was increased over the number of the last Congress in size, at the request of the Democrats, to avoid this contin-

gency. At times, under the legislative rules, a minority will secure more than its share of representation. When the lower house of the New Jersey legislature met in 1921, it contained but one Democratic member. He was given the privilege of serving on all committees in order that the minority would have representation always. The Illinois house of representatives has a committee on "rights of the minority" in which the minority party always has a majority of the membership. Sometimes minority members receive unimportant chairmanships. This was true in the United States Senate until the committees were reduced in numbers in 1921.

In early American legislative history all committees were appointed by the presiding officers after consultation with the party floor leaders. While this plan still prevails in many state legislatures, the tendency is toward the election of committees by the bodies themselves. The House of Representatives, after its fight on Cannonism, elected all of its standing committees, beginning with 1911. Where committees are elected the party leader or caucus ordinarily names a committee on committees. The Democratic members of the ways and means committee perform this function for the House. Such selections, as a rule, are subject to ratification by party caucus. It is expected that the selections so made will be ratified on the floor. A notable exception to this procedure was in 1923, when Senator Ellison D. Smith, Democrat, of South Carolina, by the aid of insurgent Republican votes, was elected to the chairmanship of the committee on inter-state commerce in a Republican Senate. If the presiding officer of the legislative body has the power of appointment of committees he may use it to discipline members who have differed with him. Speaker Cannon often did this. He would place Republican insurgents at the end of committees, below those who had not been members so long. When a group of Democrats aided the regular Republicans in the adoption of rules at the organization of the House, in 1909, he gave them valuable committee assignments, displacing Democrats who had been loyal to their party leadership. His action sealed the doom of the appointment of House committees. Even in Congress, the presiding officers appoint the members of the conference committees, but through custom they name the ranking members

of the standing committees which have had the legislation in charge. At times they are directed by resolutions to name special committees.

It is an unwritten law in most legislative bodies that members progress on committees by seniority. That is, a member moves upward toward the chairmanship in the order of the time of his appointment to the committee. By following custom an aged man physically unable to carry on the work of the chairmanship often has the title and the committee patronage while another does the work. This was true in the Senate from 1919 to 1923, when Senator Page of Vermont was chairman of the committee on naval affairs; while the burden of the work was carried on by Senator Poindexter of Washington, the ranking Republican member.

Steering committees.—A group which is of prime importance in every legislative body is the steering committee. It is not provided by the rules of the body but arises from authorization by party caucus or through custom. Generally, each party with a fairly large representation, has one. At times the minority party actually will not name one. Generally it is named by the party leader although often members are elected in the caucus. The party leader acts as chairman. The steering committee determines, so far as the rules of the legislative body will permit, what measures shall come up for consideration and then steers them through to passage if possible. It also determines, in a measure, what party policy shall be. If the legislative body is one in which there is not much difference in the size of the membership between the two principal parties, the committee of the minority is of almost as much importance as that of the majority. Appointment to the steering committee is eagerly sought by all active partisans because of the influence in party matters that membership thereon brings. When a new party leader is chosen he ordinarily is one who has seen service on this committee.

Whips.—The responsibility of securing a full attendance of party members in a legislative body rests largely upon the party "whip" and his assistants. The "whip" is either appointed by the party leader or chosen in the caucus. If he has assistants, he either appoints them himself or they are named in the same way that he is. It is the duty of the "whip" to secure a maximum attendance of party members. Often

preceding and during a roll call he telephones for his absent fellow partisans. If a matter of particular importance, such as a party measure or contested election, is to be taken up, ordinarily the "whip" writes all of his fellow partisans advising them to be present at the time the voting is expected to take place. He also assists in arranging pairs for the benefit of party associates who expect to be absent. "Whips" often advise their fellow partisans how to vote if they enter the legislative chamber after the debate is over. The position of "whip" carries with it considerable influence in party councils.

Pairs.—The most effective way of maintaining party balance in Congress, the legislatures, and city councils has been through the system of pairing. Pairs may be either general or special. A general pair is entered into by members of a legislative body of opposite political faiths. It generally is made at the beginning of a session and under the agreement is to last until sine die adjournment. It absolutely protects the party balance in the event one of the parties to the pair is absent. It does not prevent the person present transferring the pair to one of his own colleagues who is absent without a pair. His pair still is protected since one of the opposite faith does not vote. This transferring often takes place. As an example, Senator DuPont, Republican, of Delaware, may have a general pair with Senator Caraway, Democrat, of Arkansas. When the roll is called, Senator Caraway notices that his pair is absent. Perhaps he so advises the Democratic clerk who is employed for the purpose of protecting the party in the matter of pairs. The pair clerk tells him that Senator George, Democrat of Georgia, also is absent and without the protection of a pair. Senator Caraway then arises, announces that he has a general pair with the junior senator from Delaware but that he transfers that pair to the junior senator from Georgia, and votes. Again, a member disregards the general pair if both would vote the same way on a proposition. Ordinarily he announces that he has the pair but will disregard it because of the knowledge that he and his pair are of the same opinion on the matter to be voted upon.

A special pair is one which is arranged between two members for a single day or a single vote or otherwise for a limited time. Otherwise its effect is the same as that of a general pair. A special pair may be arranged between members of the same

party who have different views as to a certain proposition which is to be voted upon and one or both of whom cannot be present at the time.

It is considered a grave breach of ethics for anyone to break a pair and vote without the consent of the other person. In the event a person inadvertently voted despite the fact he was paired, it is expected, in the event his vote was the deciding one cast, that he will move a reconsideration at the earliest possible opportunity. Otherwise, he will explain and apologize.

When Constitutional amendments are voted upon in Congress, or questions of the passage of a bill over the Presidential veto, or the vote on the ratification of a treaty in the Senate, all requiring a two-thirds vote, it is customary for pairs to be arranged on the ratio of two in favor to one against.

Bi-partisan boards.—Influenced by the party division of representation in legislative bodies, Congress and many of the state legislatures have created many administrative agencies providing for a division of party representation thereon. The Pendleton Civil Service Commission act of January 16, 1883, provided that not more than two of the three members should be members of the President's party. Membership on the Inter-state Commerce Commission has recognized the division between parties. The act of September 26, 1914, creating the Federal Trade Commission provided that not more than three out of its five commissioners should be members of the same political party. The Tariff Commission of 1909 had a division of party membership and the act of September 8, 1916, creating the present commission, provided that there should be three members of each major political party. In the history of the Inter-state Commerce and Civil Service Commissions there has been no partisan division. The lodging of this power in the hands of the President in the Federal Trade and Tariff Commissions has resulted in appointments which have not reflected actually the views of two major parties. President Wilson appointed non-Democratic members of the Federal Trade Commission who were more in sympathy with the Democratic than the general Republican viewpoint. Victor Murdock of Kansas, who supported him in 1916, was one. Presidents Harding and Coolidge sought non-Republican ap-

pointees with a more conservative viewpoint toward business than the Democratic party had held. President Wilson appointed as one of the non-Democratic members of the Tariff Commission, William Kent who had supported him for reelection in California. He also appointed a Republican, William S. Culbertson, who personally was opposed to a high protective tariff and who finally was given a diplomatic post by President Coolidge to get him off of the Commission. Then President Harding, in order to give the protectionists the advantage on the Commission, named Henry H. Glassie, an avowed protectionist of Maryland, although a Democrat. While the integrity of the men named in all cases could not have been questioned, yet the actual division of party thought was not secured on the Tariff Commission as anticipated by the framers of the act.

Governors are subjected to the same temptations as the President in making these appointments. The appointee ordinarily feels an obligation to the governor for his position instead of to the party organization to which he is accredited. Often the governor uses this power to name one at odds with the regular organization of the opposing party, thus giving patronage to a discordant element with the result that a party schism may be widened. In Illinois, governors of both of the major parties ordinarily have listened to the recommendations of the opposing party organizations on these minority appointments.

Authorities appointing election commissioners often have yielded to the temptation to name as minority members commissioners who will play with the majority party. They generally are affiliated with a faction out of control. This is true, too, of local civil service commissions, and the minority representation often is as much of a liability as an asset to the party which it is supposed to represent.

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402 PARTY PRINCIPLES AND PRACTICAL POLITICS

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Questions

1. If a single party does not have an actual majority in a legislative body how is it organized?
2. If members of the majority party refuse to coöperate with their party in organizing what may be the result?
3. May a party have a "paper" and yet not an actual majority?
4. Is it advantageous for a party without a majority to attempt to organize?
5. What patronage does the party acquire in organizing the legislative body?
6. Who comprise a party caucus?
7. What is the purpose of the caucus?
8. How does a party decide upon the candidates it will support for officers of the legislative body?
9. How many bind the membership in a caucus?
10. Are members of a party always willing to be bound by a caucus?
11. What is meant by "open" and "closed" caucuses?
12. Are members ever expelled from caucus?
13. What is a party conference?
14. How are committee assignments divided between parties in a legislative body?
15. How are committees named in legislative bodies?
16. How do the parties determine the personnel of their membership on committees?
17. What is meant by seniority on committees?
18. What is a steering committee?
19. What are "whips"?
20. What are the purposes of "pairs"?
21. What is the difference between general and special pairs?
22. May a person paired who is present vote under any circumstances?
23. What are bi-partisan boards?
24. Do minority appointments always represent the real sentiments of the minority party?

CHAPTER XXIV

INITIATIVE, REFERENDUM, AND RECALL

Origin and purpose.—Whenever a newly formed state adopts a constitution which it has submitted to its people in a popular vote, its citizens have in a sense delegated their legislative powers. Legislators are given this authority. The purpose of the initiative and referendum is to restore to the people such of this authority as they care to exercise themselves rather than entrust to their delegated representatives. It also is in a sense a corrective veto over the legislative authority so delegated, in the event that it has not been exercised, by commission or omission, as desired. The initiative, then, is the right of the voters to secure such legislation as they desire which the regularly constituted legislature fails to pass. The referendum, is the right of the voters to reject legislation, already passed by the legislature, of which they do not approve. The referendum may be either compulsory or optional. If compulsory, the legislation is inoperative until approved by the voters. If optional, it goes into effect unless the referendum has been invoked by petition.

South Dakota, in 1898, passed the first initiative and referendum law in this country. It was based upon Swiss experiments. South Dakota was followed by: Utah, in 1900; Oregon, in 1902; Nevada, in 1904; Montana, in 1906; Oklahoma, in 1907; Maine, Missouri, and Michigan, in 1908; Arkansas and Colorado, in 1910; California and Arizona, in 1911; Idaho, Ohio, Nebraska, and Washington, in 1912; Mississippi and North Dakota, in 1914; and Massachusetts, in 1918. New Mexico passed a referendum law in 1911 and Maryland in 1915. The New Mexico law requires the signatures of 20 per cent of the voters in two-thirds of the counties, and being so restricted, never has been used. In Utah the requirement that every signature to a petition must be in the presence of

an officer authorized to administer oaths has made the law inoperative there. In Mississippi the act was declared unconstitutional by a 3 to 2 decision on the grounds that the amendment did not receive a majority of the votes and that a separate amendment should have been adopted for each.¹ Idaho never has passed an enabling act to provide for the requisite number of petitioners.² With no law passed granting these forms of direct legislation since 1918, the movement in the other states apparently is static. Its principal strength has been west of the Mississippi river. The initiative and referendum often have been adopted in municipalities, particularly those having the commission and city managerial forms of government.

Petitions.—It would not be practicable for the state legislatures to submit to popular vote all measures which they have passed. As a matter of judgment, the majority supporting any particular bill probably is confident of its merit. It would be absurd to expect the legislature, by its own volition, to submit to referendum such measures as the people would desire. Petitions, therefore, are essential both to the initiative and to the referendum. The number of signatures required to initiate a measure ordinarily is higher than to invoke the referendum. Maine, Maryland, and Massachusetts require 10,000 signatures for a referendum. If the law is to be suspended during the vote, Massachusetts requires 15,000. Ordinarily 5 to 10 per cent is required to initiate a measure. In Ohio, 3 per cent is required by the indirect legislative method to bring one before the legislature. An additional 3 per cent is required to submit it to the electorate in the event of the refusal of the legislature, and then 5,000 more to get it before the people again. Nebraska requires 5 per cent in two-fifths of the counties for the initiative. Ten per cent in a majority of the counties of the state must sign in North Dakota. The petitions must be filed in the office of the secretary of the state. Initiative and referendum petitions are circulated in much the same manner and under similar legal safeguards as nominating petitions. The person circulating each petition must make an affidavit that the names were signed in his presence and

¹ Powell vs. Robertson in S. C. of Miss., Oct. 23, 1922.

² Apparently sentiment died down after the constitutional amendment was adopted or the legislature would have carried out the mandate.

are genuine. Many persons sign without an acquaintance with the issue. In agricultural sections of the West it often is difficult to get the requisite number of signatures, even though the number would seem extremely low for an urban area. Organizations sponsoring measures to be voted upon often provide for the circulation of petitions. Many circulators are volunteers, serving without pay. Others, who are somewhat professional in this work, require a nominal wage for their services.

Adoptions and amendments of constitutions.—The legislative referendum had a forerunner in American law in the methods which the constitutions of most of the states provide for the adoption of new constitutions and the amendments of old ones. The constitutions of most of the states provide that whenever a state legislature desires a convention be held to submit a new constitution, the proposition must be submitted to the voters of the state for their approval. The voters of Indiana, Colorado, Maryland, North Carolina, Pennsylvania, Tennessee, Texas, South Dakota, Idaho, and Washington have rejected proposals to call conventions in recent years. While the recently adopted Virginia and Louisiana constitutions were declared in effect without submission to the voters, most states require ratification of both the proposed constitution or amendments by the voters. Some states require more than a majority of affirmative votes. Amendments in Delaware need not be submitted to popular votes.

In 1902, Oregon adopted the initiative method of amending the constitution. Under the Oregon plan, adopted by Nevada in 1904, Oklahoma in 1907, Missouri in 1908, Arkansas and Colorado in 1910, Arizona and California in 1911, Nebraska and Ohio in 1912, and Mississippi in 1914, the proposed amendment is submitted to the voters and is effective immediately after the people have voted in its favor. Utah, in 1903, required the intervention of the legislature before the amendment could be submitted. This plan was followed by Michigan, in 1908; North Dakota, in 1914; and Massachusetts, in 1918. For the constitutional initiative it is customary to require a greater number of signatures than for the statutory plan. The procedure for the constitutional amendments in both the direct and indirect methods follows largely that for initiated legislation in the two ways. Logically there

STATE-WIDE INITIATIVE AND REFERENDUM

<i>State</i>	<i>Date</i>	<i>Initiative for Statutes</i>	<i>Initiative for Constitutional Amendment</i>	<i>Referendum</i>	<i>Remarks</i>
South Dakota	1898	5% indirect	None	5%	Slightly restrictive amendment rejected 1914.
Utah	1900 directory, law 1917	5% indirect, 10% direct majority of counties	None	10% majority of counties	Law enacted in 1917. Not self-executing. Restrictive enabling act passed 1917.
Oregon	1902, extended 1906	8% direct	8% direct	5%	Restrictive amendment rejected 1912.
Nevada	Referendum 1904, initiative 1912	10% indirect	10% indirect	10%	
Montana	1906	8% 2/5 of counties, direct	None	5% 2/5 of counties	
Oklahoma	1907	8% direct	15% direct	5%	Initiated measures require majority vote at election.
Maine	1908	12,000 indirect	None	10,000	Restrictive amendment rejected 1914.
Missouri	1908	8% 2/3 congressional districts direct	8% 2/3 congressional districts direct	5% 2/3 congressional districts	Immaterial Amendment adopted 1918.
Michigan	1908, extended 1913	8% indirect	10% direct	5%	Rejected constitution of 1917, would have restricted.
Arkansas	1910	8% direct	8% direct	5%	Restrictive amendment rejected 1914.
Colorado	1910	8% direct	8% direct	5%	Restrictive amendment rejected 1915.
California	1911	8% direct, 5% indirect	8% direct	5%	25% may suspend law. Majority 40% vote at election to reject.
New Mexico	1911	None	None	10% 3/4 counties	Restrictive amendment rejected 1915.
Arizona	1911, extended 1914	10% direct	15% direct	5%	

Idaho	1912 directory	None	None	None	Not self-executing. No enabling act passed by legislature.
Nebraska	1912	10%-5% in 2/5 counties direct	15%-5% in 2/5 counties direct	10%-5% in 2/5 of counties	Affirmative vote of 35%.
Ohio	1912, extended to Federal amendments, 1918	3% plus 3% indirect at least 1/2 percentage from 1/2 counties	10% direct at least percentage from 1/2 counties	6% at least 1/2 percentage from 1/2 counties	Restrictive amendment rejected 1915.
Washington	1912	10%, not over 50,000, direct and indirect	None	6%, not over 30,000	Total vote must equal 1/3 at election.
Mississippi	1914	7,500 direct	7,500 direct	6,000	Proposal submitted and failed 1912.
North Dakota	1914, revised and extended 1918	10,000 direct	20,000 direct	7,000	30,000 may require election on emergency referred law.
Maryland	1915	None	None	10,000, not more than 1/2 from one county or Baltimore	Referendum only.
Massachusetts	1913	10 plus 20,000 plus 5,000 30% vote indirect direct	10 plus 25,000, two sessions, 30% vote indirect	10 plus 15,000, 10 plus 10,000 for repeal of emergency or other measures, 30% vote	Expressly inapplicable to numerous subjects. Not over 1/4 signatures from one county.

would seem no reason not to grant to the people the right to initiate constitutional amendments where they have the privilege of doing the same with statutes.

Illinois public policy law.—Illinois has a statute, somewhat approaching the initiative, which is called a public policy law. It has proved wholly ineffective in practice. Under the law, 25 per cent of the voters of any sub-division of the state, or 10 per cent of the entire state, may petition for submission to the voters of any proposition of public policy in the sub-division or the state. Not more than three such questions may be submitted at a time. The law is designed to give the general assembly an expression of the popular will. There is no process to mandate the legislature to pass such a measure even if the voters record themselves in favor of it. A portion of the public has attempted to use it as a vehicle of expression and has petitioned for constitutional amendments as well as statutes. The legislature only could have submitted the constitutional amendments. The voters have expressed themselves as being in favor of the initiative and referendum, a corrupt practices act, and a short ballot commission, among other reforms, but the legislature has ignored their wishes. In many instances only scanty publicity has been given matters so submitted.

Local option.—A special form of the initiative and referendum is where voters of certain sub-divisions of the state are permitted to pass upon a certain measure. Before the adoption of the Eighteenth Amendment, most of the states without general prohibition provided that precincts, townships, cities, or counties should determine for themselves whether their areas should be anti-saloon territory. In states where the commission and managerial forms of municipal government are permitted the adoptions are made by an initiative and referendum. In Illinois, voters of each county determine whether there shall be the "township" or "county" form of government. Other measures similarly are submitted locally through the action of state legislatures and the petition of the requisite number of voters.

Federal constitutionality.—The Oregon constitution was amended in 1908 to enable the people to propose laws and constitutional amendments and to approve or reject legislative acts. This was the authorization of the initiative and refer-

endum. By resort to the initiative in 1906 a law taxing certain classes of corporations was adopted. The initiative and referendum was attacked as denying to a state the guarantee of a republican form of government as provided by section 4 of article IV of the Constitution. The Supreme Court dismissed the case on the ground that it was a political rather than a judicial question.³ So long as the legislative bodies exist as an alternative to the enactment of laws, republican form of government prevails. The legislatures may repeal or amend measures adopted by the initiative and referendum.

Advantages.—Undoubtedly, the initiative and referendum make government more democratic. Often in a legislative body the favor of the presiding officer, floor leader, or of a certain clique determines what laws shall pass but such individuals or groups cannot control the whole people of the state. The people have increased power under direct legislation. In order to exercise this power the people are informed on the questions to be voted upon and hence are better posted on governmental matters. The voter more likely will watch the course of the state legislature when he feels he may have to pass upon a portion of its work. As the questions are submitted, there is a general discussion of their merits and demerits. One voter has as much power as another on legislation and it will encourage him to attempt to influence others. A person may have been independent in voting and thus have no party influence but this will not detract from the influence he may have on questions that are submitted by the initiative and referendum. The members of the legislatures will be on their good behavior when they know that the people may repudiate at the polls the work they have done. A legislator would not be envied with a record which had been overruled by his constituents. He likely would not aspire to further service. Always under the initiative the people may obtain needed legislation even though the legislature is inactive. Through the referendum, the influence of lobbying is minimized. If a lobby is able to put over a measure in a legislature against the wishes of the people of the state, the people are enabled to veto this action. Laws are stated more simply when it is borne in mind that the public eventually may have to pass upon them, and the non-technical training of the aver-

³ *Pac. States Tel., etc., Co. v. Oregon*, 223 U. S. 118.

age citizen is respected. A group of citizens interested in a special field through the initiative may be able to arouse the interest of the voters in their favor through the processes of publicity attendant upon a measure submitted. They might fail to interest the legislature and yet if their proposition goes on the ballot it will entail considerable discussion which will work to the benefit of the state.

Disadvantages.—Inasmuch as a large part of the eligible voting population always remains away from the polls, and generally the entire electorate at the polls does not vote on the measures so submitted, direct legislation is in a sense minority government. Perhaps not more than 25 or 30 per cent of the people actually eligible to vote, are recorded in favor of a measure, but they may carry it to success. Under the initiative and referendum a voter is given the choice of two definite alternatives; while in the legislature amendments and substitutes may be offered during the course of the discussion of a bill. Compromise is impossible, unless a second plan is submitted later. The voters are given an added burden in a day in which the short ballot is winning many advocates. The conscientious voter must inform himself on questions which he had entrusted to the legislators of his choice in the past. The legislator may not feel the same responsibility in framing laws when he has the knowledge that the question will be submitted to a popular vote and his action is merely preliminary. He may not give as earnest attention to their merits and to their phraseology.

Publicity pamphlets.—Twelve states, Oregon, Montana, Oklahoma, California, Arizona, Colorado, Nebraska, Ohio, Washington, Utah, North Dakota, and Massachusetts, have passed laws providing for publicity pamphlets to be distributed to voters for their information concerning questions being voted upon. In Colorado the act remains inoperative because of the failure to repeal a conflicting section of the state constitution. The pamphlets are similar to those adopted for the benefit of candidates and parties in a few of the states.⁴ Under these laws proponents of the measure submit arguments in favor, and opponents, against. The laws vary as to what persons should present the arguments and in some cases only one side is represented. Massachusetts provides that the

⁴ See pages 317, 318.

members of the legislative committee on each measure shall prepare the arguments, pro and con. This seems about the best way. It also includes the names of the members of the legislature who reported the bill and voted in its favor. In California, Massachusetts, Ohio, Oklahoma, and Washington the state pays the costs of the publicity pamphlets. In the other states there is a division of the expense between the states and the organizations or individuals submitting arguments, the state ordinarily paying for the distribution while the paper and printing charges generally are met by those sponsoring the arguments. Where the states pay all of the expenses, the arguments are limited in length. The size varies from mere postcards to thick brochures. Oklahoma uses two newspapers of each county when such publication is cheaper than the issuance of pamphlets. Newspaper advertising suffers from the disadvantage that in many counties there are more than two newspapers and consequently a majority of the voters may not be reached by this method of informing the public.

Publicity pamphlets have not been considered altogether a success but the states which have adopted them continue in their use for the want of anything better. In some of the states which have adopted the pamphlets, Oregon, Arizona, Washington, California, North Dakota, and Nebraska, complete texts of the measures with arguments are mailed to the voters. Since these texts are issued only biennially, and the arguments necessarily are somewhat restricted, they are inadequate to counterbalance the propaganda already in circulation. Colorado, Arkansas, and Missouri publish the proposed measures once or twice in some country newspaper but this is not so effective as the publicity pamphlet. Often, too, the ballot titles are stated in such a vague manner that it is difficult for a person to vote intelligently upon the question. The Colorado ballot of 1924 contained the following question:

3	For the Amendment to Section 30 of Article V, Concerning Public Officers	
	Against the Amendment to Section 30 of Article V, Concerning Public Officers	

Many Colorado voters doubtless presented themselves at the polls without knowing what Section 30 of Article V was. They were hardly qualified to vote. A question so stated could be the result of a hostile feeling on the part of the election official who directed the printing of the ballots. Again, such an official may have attempted to follow the strict letter of the law when he so phrased it. At best, unless a voter went to the polls fortified with a newspaper which carried the official advertisements concerning the questions, he could hardly have undertaken to mark his ballot without the possibility of voting against a proposition which he really favored. The measures as well as non-technical explanations of the same should be printed in full for the voter.

Practical operation.—From 1904 to 1927 over 646 measures were placed on the ballot by petitions in the states having tried initiative and referendum. The legislatures during the same period submitted about 543. These proposals have dealt with a variety of subjects.⁵

In 1921, Secretary of War Weeks, Attorney-General Daugherty, and several others prominent in public life began a campaign against the direct primary. The law for the nomination of state officials was repealed that year in New York. The initiative and referendum were used by its opponents in other states. In 1922, the Arizona legislature submitted an amendment eliminating the mandatory primary from the constitution. The legislature was empowered, under its terms, to provide for the nomination of candidates, apparently with the convention system in view. It was defeated, 26,302 to 7,774, with 70 per cent of the total vote cast at the election voting on the proposition.⁶ The Nebraska legislature, the same year, sought to repeal that part of the primary law for the election of delegates to conventions. Caucuses thus would have chosen them. This was defeated, 208,261 to 95,494, with 78 per cent voting.⁷ The Washington legislature, in 1922, passed an act repealing the Presidential primary. The referendum defeated it, 140,299 to 57,324, with 71 per cent

⁵ Bulletins 87, 97, and 107 of the National Popular Government League give the details of the operation of the initiative and referendum, and the results of the initiative and referendum elections of 1922, 1924 and 1926, respectively. The following citations refer to these bulletins.

⁶ Bul. 87, p. 6.

⁷ Ibid., pp. 6-7.

voting.⁸ In 1924, the Montana electorate, 77,948 to 57,540, with 77.8 per cent voting, repealed the Presidential primary law upon legislative proposal. The law had been adopted by the initiative in 1923.⁹ Nebraska friends of the primary attempted in 1924 to make its provisions a part of the state constitution, thus ending the repeated attempts made by state legislatures to amend it. The proposal lost, 228,485 to 163,932, with 87.5 per cent voting.¹⁰ South Dakota, the same year, rejected a proposal to change the date of the primary law in that state.¹¹ In 1926, Ohio was the only state to attempt by the initiative to substitute the convention for the primary. The measure was defeated, 743,313 to 405,152, with 82.2 per cent voting.¹² In 1927, Maine voted to retain the primary by a large majority.

There are many who believe that prohibition is the most vital problem before the American public to-day. It has been one of the most frequently disputed topics before the voters, by virtue of the initiative and referendum. In 1922, an enforcement act was passed by the California legislature, which was referred by the "wets" and sustained by a vote of 445,976 to 411,133, with 89 per cent voting.¹³ In Massachusetts, an enforcement act, challenged by referendum, was defeated, 427,840 to 323,964, with 89 per cent voting.¹⁴ In Ohio, the "wets" attempted to make legal beverages with 2¾ per cent of alcohol, to permit liquor in homes for personal use, and to require a search warrant for prohibition agents. The referendum was defeated, 908,522 to 719,050, a 100 per cent vote, exceeding by 1,773 the vote cast for gubernatorial candidates.¹⁵ The only time prohibition was an issue in 1924 was in Massachusetts when the voters reversed their position of two years previous and sustained an enforcement act passed by the legislature, 454,656 to 446,437, with 77.5 per cent voting.¹⁶ In 1926, California, Colorado, Montana, Nevada, and Mis-

⁸ Ibid., p. 7.

⁹ Bul. 97, p. 4.

¹⁰ Ibid.

¹¹ Ibid., p. 5.

¹² Bul. 107, p. 4.

¹³ Bul. 87, pp. 11-12.

¹⁴ Ibid., p. 12.

¹⁵ Ibid.

¹⁶ Bul. 97, p. 8.

souri had propositions on prohibition enforcement before their voters under the initiative and referendum. California defeated, 565,875 to 502,258, with 93.3 per cent voting, an attempt to repeal the state enforcement act.¹⁷ Colorado defeated, 154,672 to 107,749, 85.6 per cent voting, the proposal to repeal the prohibition amendment empowering the legislature to authorize the sale of liquor.¹⁸ Montana repealed the state prohibition laws, 83,231 to 72,982, with 105.6 per cent voting.¹⁹ Nevada endorsed a senate resolution asking Congress to call a Constitutional convention to propose changes in the Eighteenth Amendment, 18,131 to 5,352. At the same time Nevada adopted a resolution that Constitutional prohibition had been a failure, 17,332 to 5,607.²⁰ Missouri rejected an initiated statute for the repeal of all prohibition enforcement laws, 569,931 to 294,388.²¹ However, in Missouri, large numbers of the "wets" refused to support the proposal. The referendum as a means of obtaining popular feeling on prohibition was indirectly approved by New York and Illinois where the following proposal was voted upon:

Should the Congress of the United States modify the Federal act to enforce the Eighteenth Amendment so that the same shall not prohibit the manufacture, sale, transportation or exportation of beverages which are not in fact intoxicating as determined in accordance with the laws of the respective states?

In both states the "drys" urged their supporters to ignore the proposal. In New York, where it was submitted through joint resolution of the legislature, it received 1,763,070 affirmative votes to 598,484 negative and 546,236 not voting. In Illinois, where it was submitted under the public policy law of that state, it was carried 840,631 to 556,592. If the national prohibition policy ever is changed it will probably be in response to such referenda.

Public utilities, because of the conflict in many states between private utility interests and those favoring public ownership, have been the subject of many of the propositions upon

¹⁷ Bul. 107, p. 8.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.

which the voter has acted. California, in 1922, rejected a proposal that public utilities should be taxed as if privately owned, 429,668 to 258,666.²² It disapproved of a plan placing municipal utilities under a state board, 415,559 to 232,079.²³ It also declined to give the state railroad commission exclusive power to grant franchises and regulate the rates of municipal and interurban railway lines and motor vehicles, 499,458 to 136,271.²⁴ California and South Dakota both rejected proposals for state-wide hydro-electric systems, the former 597,453 to 243,604 with 87 per cent voting, and the latter, 106,409 to 55,563 with 92 per cent voting.²⁵ Washington rejected the requirement of a certificate of necessity and convenience before the establishment of a new public service utility.²⁶ In 1924, Arizona rejected, 33,910 to 21,460, with 70.3 per cent voting, an appropriation to investigate the power and irrigation possibilities of the Colorado river.²⁷ California again defeated a plan for a statewide hydro-electric system, 751,985 to 320,383, with 72.2 per cent voting.²⁸ Colorado defeated a proposal to create a state printing plant, 225,505 to 32,150, with 74.8 per cent voting.²⁹ North Dakota authorized the issuance of state bonds for the benefit of state-owned utilities, 64,996 to 57,345, with 89.5 per cent voting.³⁰ Oregon extended the right of eminent domain to private lands for highways and drainage districts, 134,071 to 65,133, with 75.4 per cent voting.³¹ South Dakota defeated a plan enabling cities and towns to operate electric power plants and inter-tie with other municipalities, 217,393 to 139,492, with 91.2 per cent voting.³² Washington defeated a statute enabling municipally owned light plants to sell power outside of the city corporate limits, 208,809 to 99,459, with 79 per cent voting.³³

The propositions above enumerated give a fairly good indi-

²² Bul. 87, p. 10.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid., pp. 10-11.

²⁶ Ibid., pp. 11.

²⁷ Bul. 97, p. 6.

²⁸ Ibid., p. 7.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Ibid.

cation of the number of voters who respond to questions submitted in comparison with the number voting for candidates in the same election. It would be difficult to expect that in all cases as many electors would manifest so great an interest in measures as in men. The habits of the American voting public have been directed too many years to the contrary. Occasionally, an issue is of such transcendent importance that a larger vote will be secured than by candidates. This may be where there is not a great deal of interest in a campaign as between candidates or the election of one party or candidate is a foregone conclusion.

Many other questions beside those of elections laws, prohibition, and public utilities are the subject of the initiative and referendum elections. In 1922, seven questions submitted pertained to the public schools and education.³⁴ In 1924, three related to educational subjects³⁵ and in 1926, ten.³⁶ Taxation, naturally, has received a large share of attention. In 1922, seventeen propositions related to taxation,³⁷ in 1924, the same number,³⁸ and in 1926, twenty.³⁹

The Democrats of Missouri took advantage of the referendum law of that state in 1922 to refer to the voters fourteen measures which had been passed by the Republican legislature and signed by the Republican governor. The Democratic state committee secured the petition signatures and managed the campaign against the laws, which dealt principally with the reorganization of state offices and included a Congressional re-apportionment measure. Clearly they would have operated to the benefit of the Republicans. The state went Democratic that year and all the measures attacked were defeated by the voters.⁴⁰ In this connection, the action of the Democratic national convention of 1924 may be cited. The party remembered the disastrous defeat it received at the polls four years before on the League of Nations issue and yet a majority of the convention believed in President Wilson's great ideal. The platform plank on the subject pledged a

³⁴ Bul. 87, p. 11.

³⁵ Bul. 97, p. 7.

³⁶ Bul. 107, p. 7.

³⁷ Bul. 87, pp. 9-10.

³⁸ Bul. 97, pp. 5-6.

³⁹ Bul. 107, pp. 5-6.

⁴⁰ Bul. 87, pp. 7-8.

referendum to determine the attitude of the voters upon the United States becoming a member of the League with such reservations or amendments as the President and the Senate deemed necessary. It is not beyond the range of possibility that such a plank may be proposed at one or both of the major party conventions of 1928 dealing with the subject of prohibition.

It is difficult to determine from any set of initiative and referendum elections just how often the voters took a progressive or conservative stand on the issues. To many, such terms are merely relative. What is progressive to one is conservative to another. An issue that wins in one state loses in another. It is obvious that the voters have not run wild with power since they have secured the initiative and referendum. Capital has not withheld investments from states having the system. The initiative and referendum have aroused a greater interest than ordinary questions submitted by the legislatures to the voters, which have no binding effect unless the succeeding legislature chooses to be bound. The initiative and referendum being a part of the law-making process is effective and enlists serious attention.

Recall of officials.—The recall is often associated with the initiative and referendum as a companion agency of popular control. Oregon, in 1908, was the first state to provide for the recall of officials, leading in this as in other political innovations under the leadership of Governor George E. Chamberlain. California and Arizona followed in 1911, Colorado, Nevada, and Washington in 1912, Michigan in 1913, and Kansas and Louisiana in 1914. Idaho adopted a constitutional provision permitting the recall, in 1912, but never has passed an act to carry it into effect. Idaho, Washington, Michigan, and Louisiana exempted judges from its operation. California and Colorado limited its operation to elective officers. The recall is conducted through a petition similar to the initiative and referendum. The number of petitioners necessary varies from 10 per cent in Kansas to 25 and 35 per cent in Washington. In many states, municipalities under the commission form of government have adopted the recall. Los Angeles, in 1903, was the first city to adopt it. In Illinois cities, under the commission form of government, 55 per cent must petition which renders it prohibitive. The principal

controversy over the recall has arisen over the advisability of including judges in its provisions. Ordinarily, at the same time an officer is recalled, his successor is elected. Oregon, in 1926, provided that the vacancy shall be filled in the usual manner after the recall is made. The most noteworthy use of the recall was in North Dakota, in 1921, when Lynn J. Frazier was recalled from the governorship, an action that did not seem to interfere greatly with his political career, for he was elected United States senator the following year.

Recall of judicial decisions.—The Progressive party platform of 1912 contained a plank favoring the recall of judicial decisions. Only one state has enacted such a plan into law, Colorado, in 1912, where it was found unconstitutional.⁴¹ The recall of judicial decisions would operate in effect as a different means of amending the constitution. *Chisholm vs. Georgia*, the *Dred Scott* case, and *Pollock vs. Farmers' Loan and Trust Company* were in a sense recalled since the Eleventh, Fourteenth, and Sixteenth Amendments to the Constitution over-ruled their doctrines.

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⁴¹ *People v. W. U. Tel. Co.*, 198 Pac. 146.

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Questions

1. In what sense have the people delegated their legislative powers when a newly formed state adopts a constitution?
2. What is the initiative?
3. What is the referendum?
4. What is meant by compulsory as distinguished from optional referendum?
5. When and where was the first initiative and referendum law passed in this country?
6. In what section has the principal strength of the initiative and referendum been?
7. What is meant by petitions in the initiative and referendum?
8. How has the referendum system a forerunner in the system of state constitutions?
9. May voters ever use the initiative in amending the state constitutions?
10. What is the Illinois public policy law?
11. What is meant by local option?
12. Does the initiative and referendum deprive a state of a republican form of government?
13. What are the advantages of the initiative and referendum?

420 PARTY PRINCIPLES AND PRACTICAL POLITICS

14. What are the disadvantages of the initiative and referendum?
15. What are publicity pamphlets?
16. Are publicity pamphlets a success?
17. What is the advantage of publicity pamphlets over newspaper advertising?
18. On what subjects have the initiative and referendum been used in recent years?
19. Are the voters always progressive, in the popular meaning of the term, while voting on the proposition submitted by the initiative and referendum?
20. What is meant by the recall of officials?
21. What is meant by the recall of judicial decisions?

CHAPTER XXV

POLITICAL ACTIVITIES OF INDIVIDUALS

Without party affiliation.—The percentage of people with no nominal party affiliation is comparatively low. There hardly is a citizen who, when interrogated as to his politics, will not reply that he is a Democrat, a Republican, a Socialist, or a member of some other party.

There are some people who have no interest in politics and therefore have never formed any political affiliation. This is true of thousands of recently enfranchised women who have not been modernized to the extent that they believe it is a feminine province to assume electoral duties, and consistently live up to their convictions by abstention from all political activity. It is further true of certain Indians who, while they may not live on governmental reservations, are so constituted by nature that they do not care to participate in an institution which they believe more properly is within the white man's province.

There is another class which, for selfish interests, abstains from political participation. Such persons may not vote because their party is so far in the minority in the state or community where they live that they consider it a waste of time, and yet if a reversal of control seemed probable, or even possible, they probably would interest themselves to at least the extent of voting. Others find it too burdensome. Many citizens in New York City are of this class. Their business activities are such that they do not care to take the risk of registering for voting which would render them subject to jury duty.

There is still another class that votes regularly at elections, but does not participate in primaries or caucuses or align itself in any way with one of the parties. This class may be truly independent by conviction or may not care for business or social reasons to make an alignment that might prove detri-

mental. People in this class have very little influence in the election of candidates or the dictation of policies because their activity is limited to the ballot they cast on election day. They are content for others to formulate the issues and nominate the candidates.

Political affiliation.—Active affiliation or alignment with one of the political parties is almost a prerequisite to influence in governmental affairs outside of localities where all candidates run as nominal independents. Occasionally a man may secure some influence in politics without being a partisan, but even then it is essential that he take a stand on the issues of the particular campaign in which he is interested. Henry Ford, the Detroit automobile manufacturer, may be placed in this category. Some of his friends placed his name on the Republican Presidential primary ballot in Michigan, in 1916, although he stated that, while he considered himself a Republican, he had voted only four or five times but remembered that he "had voted for Garfield in 1884," which date, incidentally, was three years after the candidate had been assassinated. Without any organized support of consequence in his behalf he carried the primary over one of the Republican senators from the state. Then, in 1918, President Wilson asked him if he would become a candidate for senator. He filed in both the Republican and Democratic primaries and received the Democratic nomination.

Not only is it desirable for a person to declare himself a member of a party, but if he is to have much influence in its councils, he must actively participate in its affairs. Political organizations are very reluctant to nominate candidates who have not been active in the party work, although often the donation of campaign contributions qualifies a person to fall in this category. There have been exceptions to this rule in politics, too. Woodrow Wilson, up to the time of his nomination for the governorship in New Jersey, had never been a member of the party organization. It is true that he was known to be a Democrat and that once some of the Democratic members of the New Jersey legislature considered giving him the caucus nomination (the Republicans were in control) for United States senator, but they simply wanted the use of his name for the position he had in the state as the head of its leading educational institution. It is probable that prior to

1916, when Mrs. Wilson voted with him, Wilson had never done so much as even take a voter to the polls. Yet, the Democratic organization in the state thought that they could win with Wilson, and so they gave him the nomination for governor. If the party were certain of success it would be even less likely to make such a nomination, since a person without active party training is not so certain to proceed along lines that the practical politicians would expect.

There is another class of party affiliates and political workers which falls into two groups. The first group is the one that does not recognize the party as having a sort of sacred right to exact regularity from its members at all elections. It ordinarily will be found supporting the party ticket. Such men often have great prestige with the voters because of their independence; consequently they generally lack influence with the powers-to-be in their organization who fear their lack of regularity may be damaging to party success. Many have bolted a ticket for a campaign and yet have had considerable influence in party councils afterwards. Martin Van Buren, Tilden, Henry Watterson, David Dudley Field, William Cullen Bryant, Whitelaw Reid, Theodore Roosevelt, and Hiram W. Johnson all bolted at times but regained their standing in their parties. Occasionally, after a man bolts he makes no effort to assert influence. Cleveland bolted Bryan in 1896 and never again was active in politics.

The other group of party affiliates is one which prides itself upon unbroken party regularity. When Speaker Clark was a candidate for the Democratic nomination for President in 1912 he repeatedly made the assertion that he never had voted anything but the straight Democratic ticket. This statement undoubtedly won him the support of many old time party workers. Sometimes these people go so far as to say they "would rather vote for a yellow dog than split their ticket." These people are of great value to the political organization in its routine work, but often they do not draw men of independent leanings to the support of party candidates.

There is still another class that operates through parties and yet recognizes the existence of party government and observes it. Some of these individuals often are candidates of two or more parties during their lifetimes. Lyman K. Trumbull entered politics as a Democrat, was chosen as an

anti-Nebraska Democrat to the Senate from Illinois, was re-elected as a Republican, went into the Liberal Republican movement and supported Greeley for President; then later became the Democratic candidate for governor; and the last Presidential vote he cast was for the Populist, Weaver, in 1892. John M. Palmer first was Republican governor of Illinois, supported Greeley for President; then accepted the Democratic nomination for governor and later was a Democratic senator. He was the gold Democratic candidate for President in 1896. Sometimes the process of change is logical, as in the case of William H. Seward who entered politics as an Anti-Mason, and upon the disintegration of that party went to the Whigs; then to the Republicans. Many Western free silver men were forced out of the Republican party because of its insistence upon the gold standard and after calling themselves silver Republicans for a few years had to enter the Democratic party to avoid political exile. Men who change their party affiliations are the exception of those who ordinarily attain high positions in politics. General Carl Schurz was an example of a man who was thoroughly independent but always influential. He supported Republican Presidential candidates until 1872 when he aided the Liberal Republican, then returned to the Republican candidates until 1884 when and after which he supported Cleveland and then Bryan.

Opportunities for service.—Politics is believed by many to be the world's greatest game, and perhaps this is true, because in these days of democratic suffrage it is one in which nearly every person of legal age may participate, and it is a field to which there are several avenues of approach.

The most common method of entering politics, and the one for which almost any intelligent person has the qualifications, is through local activity. This may be done by polling precincts and ringing door bells to get the party members to register and vote or it may be through the distribution of literature or the organization of clubs. It may be done through "talking politics" to all who are willing to lend a ready ear or it may be through serving as a party challenger at the polls to bar illegal opposition votes.

Then there are people of superior educational advantages and training who do not have to restrict themselves to this routine work for which many others are as well qualified as

they to perform. The attorney, minister, or teacher may be pressed into service as a stump speaker. A person with a literary type of mind may be called upon to write publicity for the local newspapers and thereby keep the issues and personalities before the public. The person of more than average means may not have the inclination to participate actively but may be able to finance candidacies of others whose principles he approves.

Then there are those who like politics because they want to be before the public in the sense of being candidates. They would rather run, themselves, and be in the limelight rather than support others. Perhaps they have such winning proclivities that their strength as vote-getters is realized and their party associates apply pressure to get them to accept nominations for the good of the ticket. Many such persons devote a large part of their lifetime to running for and holding public office and never appear as managers of the campaigns of others; yet there is hardly anyone in public office for any great length of time who has not been for some time or other a party committeeman or official.

Others in politics prefer to be the workers behind the scenes. They do not care for the contact with the public which candidacy means and they may not have the "front" which a good candidate needs but they may hope for appointive positions or administrative favors. Perhaps they only "play the game" for the sport in it. Often these individuals secure selection as district captains or precinct committeemen or perhaps they organize political clubs of their own. They may advance from members of a local committee to a district committee and from there to the state committee, hoping eventually to win election to the national committee. To be elected an officer of a committee often means eventual promotion to membership on a higher one.

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Questions

1. Are many people without nominal party affiliation?
2. Name some classes of people who because of lack of interest have no political affiliations?
3. Why may people for selfish reasons abstain from political participation?
4. What people often vote in general elections but do not participate in primaries or caucuses?
5. May a person become influential in politics without active affiliation with a party?
6. May a man who has not been active in party councils secure a nomination with ease?
7. Where does a man of an independent nature have the most influence?
8. Where does the man of unbroken party regularity have the most influence?
9. Do men ever swerve from one party to another and secure nominations thereby?
10. What is the most common avenue to political activity?
11. For what kind of political activity is the attorney, minister, or teacher particularly qualified?
12. What may a person of literary training do for his party?
13. What may the wealthy person do that will greatly benefit his party?
14. What is the inclination of those who like to be before the public in politics?
15. What are the more reticent individuals likely to do in politics?

APPENDICES

PARTY PLATFORMS OF 1924

INTRODUCTION

Republican

The delegates of the Republican Party, in National Convention assembled, bow our heads in reverent memory of Warren G. Harding. We nominated him four years ago to be our candidate; the people of the Nation elected him their President. His human qualities gripped the affections of the American people. He was a public servant, unswerving in his devotion to duty. A staunch Republican, he was first of all a true patriot who gave unstintingly of himself during a critical period of our national life. His conception and successful direction of the Limitation of Armament Conference in Washington was an achievement which measurably advanced the world along the path toward peace.

As representatives of the Republican Party, we share in the national thanksgiving that in the great emergency created by the death of President Harding there stood forth fully equipped to be his successor one whom we had nominated as Vice President—Calvin Coolidge. As Vice President

Democratic

We, the representatives of the Democratic Party, in National Convention assembled, pay our profound homage to the memory of Woodrow Wilson. Our hearts are filled with gratitude that American Democracy should have produced this man, whose spirit and influence will live on through the ages; and that it was our privilege to have cooperated with him in the advancement of ideals of government which will serve as an example and inspiration for this and future generations. We affirm our abiding faith in those ideals and pledge ourselves to take up the standard which he bore and to strive for the full triumph of the principles of Democracy to which he dedicated his life.

Independent Progressive

For 148 years the American people have been seeking to establish a government for the service of all and to prevent the establishment of a government for the mastery of the few. Free men of every generation must combat renewed efforts of organized force and greed to destroy liberty. Every generation must wage a new war for freedom against new forces that seek through new devices to enslave mankind.

Under our representative democracy the people protect their liberties through their public agents.

The test of public officials and public policies alike must be: Will they serve, or will they exploit, the common need?

The reactionary continues to put his faith in mastery for the solution of all problems. He seeks to have what he calls the 'strong men and best minds' rule and impose their decision upon the masses of their weaker brethren.

The progressive, on the contrary, contends for less autocracy and more democ-

INTRODUCTION—(Continued)

Democratic

Republican

and President, by word and deed, he has justified the faith and confidence which inspired his selection. He has put the public welfare ahead of all other considerations. He has given to the people practical idealism in office. In his every act he has won, without seeking, the applause of the people. The constantly accumulating evidence of his integrity, vision and singleminded devotion to the needs of the people of this Nation strengthens and inspires our confident faith in his continued leadership.

Independent Progressive

racy in government, and for less power of privilege and greater obligation of service.

Under the principle of ruthless individualism and competition, that government is deemed best which offers to the few the greatest chance of individual gain.

Under the progressive principle of co-operation, that government is deemed best which offers to the many the highest level of average happiness and well-being.

It is our faith that we all go up or down together—that class gains are temporary delusions and that eternal laws of compensation make every man his brother's keeper.

In that faith we present our program of public service.

RECORDS AND ISSUES IN GENERAL

Democratic

The Democratic party believes in equal rights to all and special privilege to none. The Republican party holds that special privileges are essential to national prosperity. It believes that national prosperity must originate with the special interests, and seep down through the channels of trade to the less favored industries, to the wage earners and small salaried employees. It has accordingly enthroned privilege and nurtured selfishness. The Republican party

Republican

When the Republican administration took control of the Government in 1921 there were four and a half million unemployed, industry and commerce were stagnant, agriculture was prostrate, business was depressed, the bonds of the Government were selling below their par value. Peace was delayed, misunderstanding and friction characterized our relations abroad. There was a lack of faith in the administration of government resulting in a growing feel-

Independent Progressive

(No plank)

ing of distrust in the very principles upon which our institutions are founded.

Today industry and commerce are active; public and private credits are sound. We have made peace; we have taken the first step toward disarmament, and strengthened our friendship with other Powers. Our relations with the rest of the world are on a firmer basis, our position was never better understood, our foreign policy never more definite and consistent. The tasks to which we have put our hands are not completed. Time has been too short for the correction of all the ills we received as a heritage from the last Democratic administration, but the notable accomplishments under Republican rule warrant us in appealing to the country with entire confidence.

is concerned chiefly with material things; the Democratic party is concerned chiefly with human rights. The masses, burdened by discriminating laws and unjust administration, are demanding relief. The favored special interests, represented by the Republican party, contented with their unjust privileges, are demanding that no change be made. The Democratic party stands for remedial legislation and progress. The Republican party stands still.

We urge the American people to compare the record of eight unsullied years of Democratic administration with that of the Republican administration. In the former there was no corruption. Party pledges were faithfully fulfilled, and a Democratic congress enacted an extraordinary number of constructive and remedial laws. The economic life of the nation was quickened. Tariff taxes were reduced. A Federal Trade commission was created. A Federal Farm Loan system was established. Child labor legislation was enacted. A Good Roads bill was passed. Eight Hour Laws were adopted. A Secretary of Labor was given a seat in the Cabinet of the President. The Clayton amendment to the Sherman Anti-Trust Act was passed, freeing American labor and taking it from the category of commodities. By the Smith-Lever bill improvement of agricultural con-

RECORDS AND ISSUES IN GENERAL—(Continued)

Republican

Democratic

ditions was effected. A Corrupt Practice Act was adopted. A well considered Warehouse Act was passed. Federal employment bureaus were created, Farm Loan banks were organized and the Federal Reserve system was established. Privilege was uprooted. A corrupt lobby was driven from the National Capitol. A higher sense of individual and national duty was aroused. America enjoyed an unprecedented period of social and material progress.

During the time which intervened between the inauguration of a Democratic administration on March 4th, 1913, and our entrance into the World War, we placed upon the statute books of our country more effective, constructive and remedial legislation than the Republican party had placed there in a generation.

During the great struggle which followed we had a leadership that carried America to greater heights of honor and power and glory than she had ever known before in her entire history.

Transition from this period of exalted Democratic leadership to the sordid record of the last three and a half years make the Nation ashamed. It marks the contrast between a high conception of public service and an avid purpose to distribute spoils.

Independent Progressive

(No plank)

The dominant issues of the campaign are created by existing conditions.

Dishonesty, discrimination, extravagance, and inefficiency exist in government. The burdens of taxation have become unbearable. Distress and bankruptcy in agriculture, the basic industry of our country, is affecting the happiness and prosperity of the whole people. The high cost of living is causing hardship and unrest. The slowing down of industry is adding to the general distress. The tariff, the destruction of our foreign markets, and the high cost of transportation are taking the profit out of agriculture, mining and other raw material industries. Large standing armies and the cost of preparing for war still cast their burdens upon humanity. These conditions the existing Republican administration has proven itself unwilling or unable to redress.

The Democratic party pledges itself to the following program:

We pledge the Democratic party to drive from public places all who make barter of our national honor, its resources or the administration of its laws; to punish those guilty of these offenses.

To put none but the honest in public office; to practice economy in the expenditure of public money; to reverence and

(No plank)

RECORDS AND ISSUES IN GENERAL—(Continued)

Republican

Democratic

Independent Progressive

respect the rights of all under the Constitution.

To condemn and destroy government by the spy and the blackmailer, as by this Republican administration was both encouraged and practiced.

(No plank)

PUBLIC ECONOMY

Democratic

Independent Progressive

Republican

We demand, and the people of the United States have a right to demand, rigid economy in government. A policy of strict economy enforced by the Republican administration since 1921 has made possible a reduction in taxation and has enabled the Government to reduce the public debt by two and a half billion dollars. This policy rigorously enforced has resulted in a progressive reduction of public expenditures until they are now \$2,000,000,000 per annum less than in 1921. The tax burdens of the people have been relieved to the extent of \$1,250,000,000 per annum. Government securities have increased in value more than \$3,000,000,000. Deficits have been converted into surpluses. The budget system has been firmly established and the number of Federal employees has been reduced by more than 100,000. We commend the firm insistence of President Coolidge

(No plank)

(No plank)

upon rigid Government economy and
pledge our earnest support to this end.

(No plank)

CREDITS AND CURRENCY

Republican

Democratic

We denounce the recent cruel and unjust contraction of legitimate and necessary credit and currency, which was directly due to the so-called deflation policy of the Republican party as declared in its National Platform of June, 1920, and in the speech of acceptance of its candidate for the presidency. Within eighteen months after the election of 1920 this policy resulted in withdrawing bank loans and discounts by over five billions of dollars and in contracting our currency by over fifteen hundred millions of dollars. This contraction bankrupted hundreds of thousands of farmers and stock growers in America and resulted in widespread industrial depression and unemployment. We demand that the Federal Reserve system be so administered as to give stability to industry, commerce and finance, as was intended by the Democratic party, which gave the Federal Reserve system to the nation.

(No plank)

(No plank)

Independent Progressive

Reconstruction of the Federal Reserve and Federal Farm Loan system to provide for direct public control of the Nation's money and credit, to make it available on fair terms to all, and national and State legislatures to permit and promote cooperative banking.

FRAUDLENT STOCK SALES

Republican

Independent Progressive

Democratic

We favor the immediate passage of such legislation as may be necessary to enable the states efficiently to enforce their laws relating to the gradual financial strangling of innocent investors, workers and consumers, caused by the indiscriminate promotion, re-financing and reorganizing of corporations on an inflated and over-capitalized basis, resulting already in the undermining and collapse of many railroads, public service and industrial corporations, manifesting itself in unemployment, irreparable loss and waste, and which constitute a serious menace to the stability of our economic system.

(No plank)

(No plank)

PRIVATE MONOPOLIES

Republican

Independent Progressive

Democratic

The Federal Trade commission has submitted to the Republican administration numerous reports showing the existence of monopolies and combinations in restraint of trade, and has recommended proceedings against these violators of the law. The few prosecutions which have resulted from this abundant evidence furnished by this agency created by the Democratic party, while proving the indifference of the administration to the violations of law by trusts and monopolies and its friendship for them,

(No plank)

The use of power of the Federal Government to crush private monopoly, not to foster it.

nevertheless demonstrate the value of the Federal Trade Commission.

We declare that a private monopoly is indefensible and intolerable, and pledge the Democratic party to a vigorous enforcement of existing laws against monopoly and illegal combinations, and to the enactment of such further measures as may be necessary.

(No plank)

Republican

We reaffirm our belief in the protective tariff to extend needed protection to our productive industries. We believe in protection as a national policy with equal regard to all sections and to agriculture and industry. It is only by adherence to this policy that the interests of the consumers can be safeguarded and American agriculture, American labor and American manufactures be assured a return sufficient to perpetuate American standards of life.

A protective tariff is designed to support the high American economic level of life for the average family and to prevent a lowering to the levels of economic life prevailing in other lands. It is the history of the Nation that the protective system has ever justified itself by promoting industrial activity and employment, enormously increasing our purchasing power, restoring

Independent Progressive

Retention of surtaxes on swollen incomes; restoration of the tax on excess profits, on stock dividends, profits undistributed to evade taxes, rapidly progressive taxes on large estates and inheritances and repeal of excessive tariff duties, especially on trust-controlled necessities of life, and of nuisance taxes on consumption, to relieve the people of the present unjust burden of taxation and compel those who profited by the war to pay their share of the war's costs and to provide the funds for adjusted compensation solemnly pledged to the veterans of the World War.

TARIFF AND TAXATION

Democratic

The Fordney-McCumber Tariff Act is the most unjust, unscientific and dishonest tariff tax measure ever enacted in our history. It is class legislation, which defrauds all the people for the benefit of a few; it heavily increases the cost of living, penalizes agriculture, corrupts the government, fosters paternalism, and, in the long run, does not benefit the very interests for which it was enacted.

We denounce the Republican tariff laws which are written in great part in aid of monopolies and thus prevent that reasonable exchange of commodities which would enable foreign countries to buy our surplus agricultural and manufactured products with resultant benefit to the toilers and producers of America. Trade interchange, on the basis of reciprocal advantages to the countries participating, is a time-honored

Republican

confidence and bringing increased prosperity to all.

The tariff protection to our industry works for increased consumption of domestic agricultural products by an employed population, instead of one unable to purchase the necessities of life. Without the strict maintenance of the tariff principle our farmers will need always to compete with cheap lands and cheap labor abroad, and with lower standards of living.

The enormous value of the protective principle has once more been demonstrated by the effects of the Emergency Tariff Act of 1921 and the Tariff Act of 1922.

We believe that the power of the President to decrease or increase any rate of duty in the Tariff Act furnishes a safeguard against excessive duties and against too low customs charges, and affords ample opportunity for tariff duties to be adjusted after a hearing that they may cover the actual differences in the cost of production in the United States and the principal competing countries of the world.

* * *

We believe that the achievements of the Republican administration in reducing taxation by \$1,250,000,000 per annum, re-

Democratic

doctrine of Democratic faith. We declare our party's position to be in favor of a tax on commodities entering the customs houses that will promote effective competition, protect against monopoly and at the same time produce a fair revenue to support the Government.

The greatest contributing factor in the increase and unbalancing of prices is unscientific taxation. After having increased taxation and the cost of living by two billion dollars, under the Fordney-McCumber Tariff, all that the Republican party could suggest in the way of relief was a cut of three hundred million dollars in direct taxes; and that was to be given principally to those with the largest incomes. Although there was no evidence of a lack of capital for investment to meet the present requirements of all legitimate industrial enterprises, and although the farmers and general consumers were bearing the brunt of tariff favors already granted to special interests, the administration was unable to devise any plan except one to grant further aid to the few. Fortunately this plan of the administration failed, and, under Democratic leadership aided by progressive Republicans, a more equitable one was adopted, which reduces direct taxes by

during the public debt by \$2,432,000,000, installing a budget system, decreasing the public expenditures from \$5,500,000,000 per annum to approximately \$3,400,000,000 per annum, thus restoring the ordinary expenditures of the Government to substantially a pre-war basis and in the complete restoration of public credit, the payment or refunding of seven and a half billions of public obligations without disturbance of credit or industry—all in the short period of three years, present a record unsurpassed in the history of public finance.

The intelligent assessment of taxes, their fair and scientific collection and the efficient and economical expenditure of the money received by the Government are essential to the prosperity of our Nation.

Carelessness in levying taxes inevitably breeds extravagance in expenditures. The wisest system of taxation rests most lightly on the individual and economic life of the country. The public demand for a sound permanent tax policy is insistent.

Progressive tax reduction should be accomplished through tax reform. It should not be confined to less than 4,000,000 of our citizens who pay direct taxes, but is the right of the more than 100,000,000 who are daily paying their taxes indirectly through their living expenses. Congress has in the main confined its work to tax reduction.

about four hundred and fifty million dollars.

The issue between the President and the Democratic party is not one of tax reduction or of the conservation of capital. It is an issue of a relative burden of taxation and of the distribution of capital as affected by the taxation of income. The President still stands on the so-called Mellon plan, which his party has just refused to endorse or mention in its platform.

The income tax was intended as a tax upon wealth. It was not intended to take from the poor any part of the necessities of life. We hold that the fairest tax with which to raise revenues for the Federal Government is the income tax. We favor a graduated tax upon incomes, so adjusted as to lay the burdens of government upon the tax payers in proportion to the benefits they enjoy and their ability to pay. We oppose the so-called nuisance taxes, sales taxes, and all other forms of taxation that unfairly shift to the consumer the burdens of taxation. We refer to the Democratic revenue measure passed by the last Congress as distinguished from the Mellon tax plan as an illustration of the policy of the Democratic party. We first made a flat reduction of twenty-five per cent. upon the tax on all incomes payable this year, and then we so changed the proposed Mellon plan as to eliminate taxes upon the poor,

TARIFF AND TAXATION—(Continued)

Republican

The matter of tax reform is still unsettled and is equally essential.

We pledge ourselves to the progressive reduction of the taxes of all the people as rapidly as may be done with due provision for the essential expenditures of the Government administered with rigid economy and to place our tax system on a sound peace-time basis.

We indorse the plan of President Coolidge to call in November a national conference of Federal and State officials for the development of effective methods of lightening the tax burdens of our citizens and adjustment of questions of taxation as between the National and State governments.

We favor the creation by appropriate legislation of a non-partisan Federal commission to make a comprehensive study and report upon the tax systems of the State and Federal governments to serve as a basis for an intelligent reformation of our systems of taxation, and as a basis for the proper adjustment of the subjects of taxation as between the National and State governments with fairness and justice to the taxpayer and in conformity with sound economic principles.

Democratic

reduce them upon moderate incomes and, in a lesser degree, upon the incomes of multimillionaires. We hold that all taxes are unnecessarily high, and pledge ourselves to further reductions.

We denounce the Mellon tax plan as a device to relieve multimillionaires at the expense of other taxpayers, and we accept the issue of taxation tendered by President Coolidge.

Independent Progressive

Republican

The Republican party reaffirms its stand for agreement among the nations to prevent war and preserve peace. As an immediate step in this direction we indorse the Permanent Court of International Justice and favor the adherence of the United States to this tribunal as recommended by President Coolidge. This Government has definitely refused membership in the League of Nations and to assume any obligations under the Covenant of the League. On this we stand.

Democratic

The Democratic party pledges all its energies to the outlawing of the whole war system. We refuse to believe that the wholesale slaughter of human beings on the battlefield is any more necessary to man's highest development than is killing by individuals.

The only hope for world peace and for economic recovery lies in the organized efforts of sovereign nations cooperating to remove the causes of war and to substitute law and order for violence.

Under Democratic leadership a practical plan was devised under which fifty-four nations are now operating and which has for its fundamental purpose the free cooperation of all nations in the work of peace.

The Government of the United States for the last four years has had no foreign policy, and consequently it has delayed the restoration of the political and economic agencies of the world. It has impaired our self-respect at home and injured our prestige abroad. It has curtailed our foreign markets and ruined our agricultural prices.

It is of supreme importance to civilization and to mankind that America be placed and kept on the right side of the greatest moral question of all time, and therefore the Democratic party renews its declaration of

Independent Progressive
(See War and Disarmament)

LEAGUE OF NATIONS, WORLD COURT, AND VERSAILLES TREATY—(Continued)

Republican

Democratic

confidence in the ideal of world peace, the League of Nations and the World Court of Justice as together constituting the supreme effort of the statesmanship and religious conviction of our time to organize the world for peace. Further, the Democratic party declared that it will be the purpose of the next administration to do all in its power to secure for our country that moral leadership in the family of nations which, in the Providence of God, has been so clearly marked out for it. There is no substitute for the League of Nations as an agency working for peace; therefore, we believe that, in the interest of permanent peace, and in the lifting of the great burdens of war from the backs of the people, and in order to establish a permanent foreign policy on the supreme questions, not subject to change with change of party administrations, it is desirable, wise and necessary to lift this question out of party politics and to that end to take the sense of the American people at a referendum election, advisory to the Government, to be held officially under act of Congress, free from all other questions and candidacies, after ample time for full consideration and discussion throughout the country, upon the question, in substance, as follows:

Independent Progressive
(See War and Disarmament)

"Shall the United States become a member of the League of Nations upon such reservations or amendments to the covenant of the League as the President and the Senate of the United States may agree upon."

Immediately upon an affirmative vote we will carry out such mandate.

WAR AND DISARMAMENT

Republican

While we are unwilling to enter into political commitments which would involve us in the conflict of European policies, it should be the purpose and high privilege of the United States to continue to cooperate with other nations in humanitarian efforts in accordance with our cherished traditions.

The basic principles of our foreign policy must be independence without indifference to the rights and necessities of others and cooperation without entangling alliances. This policy, overwhelmingly approved by the people, has been vindicated since the end of the Great War. America's participation in world affairs under the administration of President Harding and President Coolidge has demonstrated the wisdom and prudence of the National judgment. A most impressive example of the capacity of the United States to serve the cause of world peace without political

Independent Progressive

We denounce the mercenary system of foreign policy under recent administrations in the interests of financial imperialists, oil monopolists and international bankers, which has at times degraded our State department from its high service as a strong and kindly intermediary of defenseless governments to a trading outpost for those interests and concession seekers engaged in the exploitation of weaker nations, as contrary to the will of the American people, destructive of domestic development and provocative of war. We favor an active foreign policy to bring about a revision of the Versailles Treaty in accordance with the terms of the Armistice, and to promote firm treaty agreements with all nations to outlaw wars, abolish conscription, drastically reduce land, air and naval armaments, and guarantee public referendums on peace and war.

Democratic

War is a relic of barbarism, and it is justifiable only as a measure of defense.

In the event of war in which the manpower of the nation is drafted, all other resources should likewise be drafted. This will tend to discourage war by depriving it of its profits.

We demand a strict and sweeping reduction of armaments by land and sea, so that there shall be no competitive military program or naval building. Until international agreements to this end have been made, we advocate an army and navy adequate for our national safety.

Our Government should secure a joint agreement with all nations for world disarmament and also for a referendum of war, except in case of actual or threatened attack.

Those who must furnish the blood and bear the burdens imposed by war should,

WAR AND DISARMAMENT—(Continued)

Republican

affiliations was shown in the effective and beneficent work of the Dawes Commission towards the solution of the perplexing question of German reparations.

The first conference of great powers in Washington, called by President Harding, accomplished the limitation of armaments and the readjustment of the relations of the powers interested in the Far East. The conference resulted in an agreement to reduce armaments, relieve the nations involved from the great burdens of taxation arising from the competitive construction and maintenance of capital battleships; assured a new, broader and better understanding in the Far East; brought the promise of peace in the region of the Pacific; and formally adopted the policy of the open door for trade and commerce in the great markets of the Far East.

This historic conference paved the way to avert the danger of renewed hostilities in Europe and to restore the necessary economic stability. While the military forces of America have been reduced to a peace footing, there has been an increase in the land and air forces abroad which constitutes a continual menace to the peace of the world and a bar to the return of prosperity.

Democratic

whenever possible, be consulted before this supreme sacrifice is required of them.

Independent Progressive

We firmly advocate the calling of a conference on the limitation of land forces, the use of submarines and poison gas, as proposed by President Coolidge, when by the adoption of a permanent reparations plan the conditions in Europe will make negotiations and coöperation opportune and possible.

By treaties of peace safeguarding our rights and without derogating those of our former associates in arms, the Republican administration ended the war between this country and Germany and Austria. We have concluded and signed with other nations during the past three years more than 50 treaties and international agreements in the furtherance of peace and good will.

445

LATIN AMERICA

Republican

New sanctions and new proofs of permanent accord have marked our relations with all Latin America. The long-standing controversy between Chile and Peru has been advanced towards settlement by its submission to the President of the United States as arbitrator; and with the helpful coöperation of this country a treaty has been signed by the representatives of 16

Democratic

From the day of their birth friendly relations have existed between the Latin-American Republics and the United States. That friendship grows stronger as our relations become more intimate. The Democratic party sends to these Republics its cordial greeting; God has made us neighbors—justice shall keep us friends.

Independent Progressive

Resolved, That we denounce every such use of the armed forces of the United States to aid in the exploitation of weaker nations, as has occurred all too frequently in our relations with Haiti, San Domingo, Nicaragua and other nations of Central and South America.*

* Separate resolution adopted at La-Follette Conference for Progressive Polit-

LATIN AMERICA—(Continued)

Republican

American republics which will stabilize conditions on the American continent and minimize the opportunities for war.

Our difficulties with Mexico have happily yielded to a most friendly adjustment. Mutual confidence has been restored and a pathway for that friendliness and helpfulness which should exist between this Government and the Government of our neighboring Republic has been marked. Agreements have been entered into for the determination by judicial commissions of the claims of the citizens of each country against the respective governments. We can confidently look forward to more permanent and more stable relations with this Republic that joins for so many miles our southern border.

Democratic

Independent Progressive
ical Action, following adoption of plat-
form.

ARMENIA

Republican

(No plank)

Democratic

We condemn the Lausanne Treaty. It barbers legitimate American rights, and betrays Armenia, for the Chester Oil Concession.

We favor the protection of American rights in Turkey, and the fulfillment of

Independent Progressive

(No plank)

(No plank)

President Wilson's arbitral award respecting Armenia.

(No plank)

Republican

GREECE

Democratic

We welcome to the sisterhood of Republics the ancient land of Greece which gave to our party its priceless name. We extend to her government and people our cordial good wishes.

Independent Progressive

(No plank)

(No plank)

Republican

(See War and Disarmament)

GERMANY

Democratic

(No plank)

Independent Progressive

Resolved, That in the prevailing starvation in Germany, which, according to authoritative evidence, is beyond the scope of private charity, and in the event of like destitution in any other country, we consider it humane and just, and in conformity with our traditions and former practices, that the aid of our government should be extended in the form of the delivery of surplus food supplies to a reasonable amount and upon such conditions as the emergency may justify.*

* Separate resolution adopted at LaFollette Conference for Progressive Political Action, following adoption of platform.

IRELAND

Republican

(No plank)

Democratic

Independent Progressive

Resolved, That we deeply sympathize with the aspirations of the Irish people for freedom and independence.*

* Separate resolution adopted at La-Follette Conference for Progressive Political Action, following adoption of platform.

INTERNATIONAL AFFAIRS

Republican

The wisdom of our policy, now well defined, of giving practical aid to other peoples without assuming political obligations has been conspicuously demonstrated.

The ready and generous response of America to the needs of the suddenly stricken people of Japan and the starving in Russia gave evidence of our helpful interest in the welfare of the distressed in other lands.

The work of our representatives in dealing with subjects of such universal concern as the traffic in women and children, the production and distribution of narcotic drugs, the sale of arms, and with matters affecting public health and morals, demonstrates that we can effectively do our part for humanity and civilization without forfeiting, limiting or restricting our national freedom of action.

Democratic

(No plank)

Independent Progressive

Common international action to effect the economic recovery of the world from the effects of the World War.

(See War and Disarmament)

The American people do cherish their independence, but their sense of duty to all mankind will ever prompt them to give their support, service and leadership to every cause which makes for peace and amity among the nations of the world.

We favor the holding from time to time of international conferences for the advancement and codification of international law.

Republican

In fulfillment of our pledge in the National Platform of 1920, we have steadfastly refused to consider the cancellation of foreign debts. Our attitude has not been that of an oppressive creditor seeking immediate return and ignoring existing financial conditions. Our position has been based on the conviction that a normal obligation such as was incurred should not be disregarded.

We stand for settlements with all debtor countries similar in character with our debt agreement with Great Britain. That settlement, achieved under a Republican administration was the greatest international financial transaction in the history of the world. Under the terms of the agreement

(No plank)

FOREIGN DEBTS

Democratic

(No plank)

Independent Progressive

(No plank)

FOREIGN DEBTS—(Continued)

Republican	Democratic	Independent Progressive
the United States now receives an annual return upon the \$4,600,000,000 owing to us by Great Britain, with a definite obligation of ultimate payment in full.	(No plank)	(No plank)

The justness of the basis employed has been formally recognized by other debtor nations. Thirty-five per cent of the total foreign debt is now in progress of liquidation.

Great nations can not recognize or admit the principle of repudiation. To do so would undermine the integrity essential for international trade, commerce and credit.

DEPARTMENTAL ORGANIZATION

Republican	Democratic	Independent Progressive
We favor a comprehensive reorganization of the executive departments and bureaus along the lines of the plan recently submitted by a joint committee of the Congress, which has the unqualified support of President Coolidge.	(No plank)	(No plank)

CIVIL SERVICE

Republican	Democratic	Independent Progressive
The improvement in the enforcement of the merit system both by legislative enact-	We denounce the action of the Republican administration in its violations of the prin-	Resolved, That we favor enforcement and extension of the merit system in the

ment and Executive action since March 4, 1924, has been marked and effective. By Executive order the appointment of Presidential postmasters has been placed on the merit basis similar to that applying to the classified service. We favor the classification of postmasters in first, second and third class postoffices and the placing of the prohibition enforcement field force within the Classified Civil Service without necessarily incorporating all the present personnel.

ciples of civil service by its partisan removals and manipulation of the eligible lists in the Post Office department and other governmental departments; by its packing the Civil Service Commission so that that Commission became the servile instrument of the administration in its wish to deny to the ex-Service Men their preferential rights under the law, and the evasion of the requirements of the law with reference to appointments in the department.

We pledge the Democratic party faithfully to comply with the spirit as well as the regulation of Civil Service; to extend its provisions to Internal Revenue officers and to other employees of the government not in executive positions, and to secure to ex-Service Men preference in such appointments.

Federal Civil Service to all its branches and transfer of the functions of the personnel classification board to the United States Civil Service Commission.*

* Separate resolution adopted at LaFollette Conference for Progressive Political Action, following adoption of platform.

POSTAL EMPLOYEES

Republican

(No plank)

Democratic

We declare in favor of adequate salaries to provide decent living conditions for postal employees.

Independent Progressive

Resolved, That we favor the enactment of the postal salary adjustment measure for the employees of the postal service passed by the first session of the Sixty-eighth Congress and vetoed by President Coolidge.*

* Separate resolution adopted at LaFollette Conference for Progressive Political Action, following adoption of platform.

AGRICULTURE

Republican

In dealing with agriculture, the Republican party recognizes that we are faced with a fundamental national problem, and that the prosperity and welfare of the Nation as a whole is dependent upon the prosperity and welfare of our agricultural population.

We recognize that agricultural activities are still struggling with adverse conditions that have brought deep distress. We pledge the Party to take whatever steps are necessary to bring back a balanced condition between agriculture, industry and labor, which was destroyed by the Democratic party through an unfortunate administration of legislation passed as war measures.

We affirm that under the Republican administration the problems of the farmer have received more serious consideration than ever before, both by definite Executive action and by Congressional action, not only in the field of general legislation but also in the enactment of laws to meet emergency situations.

The restoration of general prosperity and of the purchasing power of our people through tariff protection has resulted in an increased domestic consumption of food products, and the prices of many agricultural commodities are above the world price

Democratic

During the four years of Republican government, the economic condition of the American farmer has changed from comfort to bankruptcy, with all its attendant miseries. The chief causes for this are;

(a) The Republican party policy of isolation in international affairs has prevented Europe from getting back to its normal balance, and, by leaving unsolved the economic problems abroad, has driven the European city population from industrial activities to the soil in large numbers in order to earn the mere necessities of life. This has deprived the American farmer of his normal export trade.

(b) The Republican policy of a prohibitive tariff, exemplified in the Fordney-McCumber law, which has forced the American farmer, with his export market debilitated, to buy manufactured goods at sustained high domestic levels, thereby making him the victim of the profiteer.

(c) The Republican policy of high transportation rates, both rail and water, which has made it impossible for the farmer to ship his produce to market at even a living profit.

To offset these policies and their disastrous results, and to restore the farmer again to economic equality with other in-

Independent Progressive

Creation of Government marketing corporation to provide a direct route between farm producer and city consumer, and to assure farmers fair prices for their products and protect consumers from the profiteers in foodstuffs and other necessities of life. Legislation to conduct the meat packing industry.

(See Coöperative Enterprise)

level by reason of direct tariff protection.

Under the leadership of the President at a most critical time a corporation was organized by private capital making available \$100,000,000 to assist the farmers of the Northwest.

Realizing the disturbance in the agricultural export market, the result of the financial depression in Europe, and appreciating that the export field would be enormously improved by economic rehabilitation and the resulting increased consuming power, sympathetic support and direction were given to the work of the American representatives on the European Reparations Commission.

The revival in 1921 of the War Finance Corporation, with loans of over \$300,000,000, averted a complete collapse in the agricultural industry.

We have established new intermediate credit banks for agriculture and increased the capital of the Federal Farm Loan system. Emergency loans have been granted to drought-stricken areas.

We have enacted into law the Cooperative Marketing Act, the Grain Futures and Packer Control Acts; given to agriculture direct representation on the Federal Reserve Board and on the Federal Trade Commission.

We have greatly strengthened our for-

ustrialists, we pledge ourselves:

(a) To adopt an international policy of such cooperation, by direct official instead of indirect and evasive unofficial means, as will reestablish the farmer's export market by restoring the industrial balance in Europe and the normal flow of international trade with the settlement of Europe's economic problems.

(b) To adjust the tariff so that the farmer and all other classes can buy again in a competitive manufacturers' market.

(c) To readjust and lower rail and water rates, which will make our markets, both for the buyer and the seller, national and international instead of regional and local.

(d) To bring about the early completion of internal waterway systems for transportation, and to develop our water powers for cheaper fertilizer and use on our farms.

(e) To stimulate by every proper governmental activity the progress of the cooperative marketing movement and the establishment of an export marketing corporation or commission in order that the exportable surplus may not establish the price of the whole crop.

(f) To secure for the farmer credits suitable for his needs.

(g) By the establishment of these policies and others naturally supplementary thereto,

AGRICULTURE—(Continued)

Republican

eign marketing service for the disposal of our agricultural products.

The crux of the problem from the standpoint of the farmer is the net profit he receives after his outlay. The process of bringing the average prices of what he buys and what he sells closer together can be indirectly expedited by reduction in taxes, steady employment in industry and stability in business. This process can be directly expedited by lower freight rates, by better marketing through cooperative effort and a more scientific organization of the physical and human machinery of distribution and by a greater diversification of farm products.

We promise every assistance in the reorganization of the marketing system on sounder and more economical lines and, where diversification is needed, Government assistance during the period of transition.

We favor adequate tariff protection to such of our agricultural products as are threatened by foreign competition.

We favor, without putting the Government into business, the establishment of a Federal system of organization for cooperative marketing of farm products.

The vigorous efforts of this administra-

Democratic

to reduce the margin between what the producer receives for his products and the consumer has to pay for his supplies, to the end that we secure an equality for agriculture.

* * *

We reaffirm and pledge the fulfillment of the policy, with reference to Muscle Shoals, as declared and passed by the Democratic majority of the Sixty-fourth Congress in the National Defense Act of 1916, "for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers."

We hold that the production of cheaper and higher grade fertilizers is essential to agricultural prosperity. We demand prompt action by Congress for the operation of the Muscle Shoals plants to maximum capacity in the production, distribution and sale of fertilizers to the farmers of the country, and we oppose any legislation that limits the production of fertilizers at Muscle Shoals by limiting the amount of power to be used in their manufacture.

Independent Progressive

tion towards broadening our exports market will be continued.

The Republican party pledges itself to the development and enactment of measures which will place the agricultural interests of America on a basis of economic equality with other industry to insure its prosperity and success.

Republican

(See Agriculture)

Republican

The mining industry has experienced a period of depression as the result of the abnormal economic conditions growing out of the Great War. This administration has accomplished much in improving the conditions affecting this great fundamental industry and pledges itself to continue its efforts in this direction.

COÖPERATIVE ENTERPRISE

Democratic

(See Agriculture)

Independent Progressive

Protection and aid of coöperative enterprises by national and State legislation.

MINING

Democratic

Mining is one of the basic industries of this country. We produce more coal, iron, copper and silver than any other country. The value of our mineral production is second only to agriculture. Mining has suffered like agriculture and from the same causes. It is the duty of our Government to foster this industry and to remove the restrictions that destroy its prosperity.

(No plank)

Independent Progressive

HIGHWAYS

Democratic

Improved roads are of vital importance not only to commerce and industry but also to agriculture and rural life. We call attention to the record of the Democratic

Independent Progressive

(No plank)

Republican

The Federal Aid Road Act adopted by the Republican Congress in 1921 has been of inestimable value in the development of the highway systems of the several states

HIGHWAYS—(Continued)

Republican

and of the Nation. We pledge a continuation of this policy of federal cooperation with the states in highway building.

We favor the construction of roads and trails in our national forests necessary to their protection and utilization. In appropriations therefor the taxes which these lands would pay if taxable should be considered as a controlling factor.

Democratic

party in this matter, and favor a continuance of Federal aid under existing Federal and state agencies.

(No plank)

LABOR AND CHILD WELFARE

Republican

The increasing stress of industrial life, the constant and necessary efforts because of world competition to increase production and decrease costs, have made it especially incumbent on those in authority to protect labor from undue exactions. We commend Congress for its prompt adoption of the recommendation of President Coolidge for a constitutional amendment authorizing Congress to legislate on the subject of child labor and we urge the prompt consideration of that amendment by the legislatures of the various States.

There is no success great enough to justify the employment of women in labor under conditions which will impair their natural functions. We favor high standards for wages, working and living conditions

Democratic

Labor is not a commodity. It is human. We favor collective bargaining and laws regulating hours of labor and conditions under which labor is performed. We favor the enactment of legislation providing that the product of convict labor shipped from one state to another shall be subject to the laws of the latter state exactly as though they had been produced therein. In order to mitigate unemployment attending business depression, we urge the enactment of legislation authorizing that construction and repair of public works be initiated in periods of acute unemployment.

We pledge the party to cooperate with the state governments for the welfare, education and protection of child life and all necessary safeguards against exhaustive

Independent Progressive

Independent Progressive

Prompt ratification of the Child Labor Amendment, and subsequent enactment of a Federal law to protect children in industry. Removal of legal discriminations against women by measures not prejudicial to legislation necessary for the protection of women and for the advancement of social welfare.

among the women employed in industry. We pledge a continuance of the efforts of the Republican administration to eliminate the seven-day 12-hour work week in industry. We regard with satisfaction the elimination of the 12-hour day in the steel industry and the agreement eliminating the seven-day work week of alternate 13 and 11 hours, brought about through the efforts of President Harding and President Coolidge.

We declare our faith in the principle of the eight-hour day.

We pledge a continuation of the work of rehabilitating workers in industry as conducted by the Federal Board for Vocational Education, and favor adequate appropriations for this purpose.

We favor a broader and better system of vocational education, a more adequate system of Federal Free Employment Agencies with facilities for assisting the movements of seasonal and migratory labor, including farm labor, and an ample organization for bringing the man and the job together.

debilitating employment conditions for women.

Without the votes of Democratic members of the Congress the Child Labor Amendment would not have been submitted for ratification.

PROBATION

Democratic

We favor the extension of the probation principle to the Courts of the United States.

Independent Progressive

(No plank)

Republican

(No plank)

RAILROADS

Republican

The people demand and are entitled to have prompt and efficient transportation at the lowest rates consistent with good service and a reasonable return upon the value of the property devoted to public service.

We believe that the American people demand a careful and scientific readjustment of railroad rate schedules with a view to the encouragement of agriculture and basic industries without the impairment of necessary railroad service.

The present laws regulating railroads which were enacted to meet post-war conditions should be modified from time to time as experience develops the necessity therefor.

The consolidation of railroads subject to the approval of the Interstate Commerce Commission into fewer competitive systems will result in advantages to the public.

The Labor Board provisions of the present law should be amended whenever it appears necessary to meet changed conditions. Collective bargaining, mediation and voluntary arbitration are the most important steps in maintaining peaceful labor relations and should be encouraged. We do not believe in compulsory action at any time in the settlement of labor disputes.

Public opinion must be the final arbiter

Democratic

The sponsors for the Esch-Cummins Transportation Act of 1920, at the time of its presentation to Congress, stated that it had for its purposes the reduction of the cost of transportation, the improvement of service, the bettering of labor conditions, the promotion of peaceful cooperation between employer and employee, and at the same time, the assurance of a fair and just return to the railroads upon their investment.

We are in accord with these announced purposes, but contend that the Act has failed to accomplish them. It has failed to reduce the cost of transportation. The promised improvement in service has not been realized. The labor provisions of the Act have proven unsatisfactory in settling differences between employer and employees. The so-called recapture clause has worked to the advantage of the strong and has been of no benefit to the weak. The pronouncement in the Act for the development of both rail and water transportation has proven futile. Water transportation upon our inland waterways has not been encouraged, and limitation of our coastwise trade is threatened by the administration of the Act. It has unnecessarily interfered with the power of the States to regulate purely intrastate

Independent Progressive

Repeal of the Esch-Cummins law. Public ownership of railroads, with democratic operation, with definite safeguards against bureaucratic control.

in any crisis which so vitally affects public welfare as the suspension of transportation. Therefore the interests of the public require the maintenance of an impartial tribunal which can in an emergency make an investigation of the facts and publish its conclusions. This is essential as a basis for popular judgment.

We favor a stable, consistent and constructive policy toward our railroads.

Republican

The prosperity of the American Nation rests on the vigor of private initiative which has bred a spirit of independence and self-reliance. The Republican party stands now, as always, against all attempts to put the Government into business. American industry should not be compelled to struggle against Government competition. The right of the Government to regulate, supervise and control public utilities in the public interest we believe should be strengthened, but we are firmly opposed to the nationalization or Government ownership of public utilities.

Republican

The price and a constant supply of such an essential commodity as coal are of vital

transportation. It must therefore be so re-written that the high purposes which the public welfare demands may be accomplished.

Railroad freight rates should be so re-adjusted as to give the bulky, basic, low-priced raw commodities, such as agricultural products, coal, and ores the lowest rates, placing the higher rates upon more valuable and less bulky manufactured products.

GOVERNMENTAL CONTROL

Democratic

(No plank)

Independent Progressive

(No plank)

COAL

Democratic

We pledge the Democratic party to regulate by governmental agencies the anthra-

Independent Progressive

(No plank)

COAL—(Continued)

Republican

interest to the public. The Government has no constitutional power to regulate prices but can bring its influence to bear by the powerful instrument afforded by full publicity. When through industrial conflict the supply is threatened, the President should have authority to appoint a commission to act as mediators and as a medium for voluntary arbitration. In the event of a strike the control of distribution should be invoked to prevent profiteering.

Democratic

cite coal industry and all other corporations controlling the necessities of life where public welfare has been subordinated to private interests.

(No plank)

Independent Progressive

MERCHANT MARINE

Democratic

The Democratic party condemns the vacillating policy of the Republican administration in its failure to develop an American flag shipping policy. There has been a marked decrease in the volume of American commerce carried in American vessels as compared to the record under a Democratic administration.

We oppose as illogical and unsound all efforts to overcome by subsidies the handicaps to American shipping and commerce imposed by Republican policies.

We condemn the practice of certain American railroads in favoring foreign ships, and pledge ourselves to correct such discriminations. We declare for an American owned merchant marine, American

Republican

The Republican party stands for a strong and permanent merchant marine, built by Americans, owned by Americans, and manned by Americans, to secure the necessary contact with world markets for the sale of our surplus agricultural and manufactured products, to protect our shippers and importers from exorbitant ocean freight rates and to become a powerful arm of our national defense.

That part of the merchant marine which is now owned by the Government should continue to be improved by economical and efficient management with reduction of the losses now paid by the Government through taxation until it is finally placed on so sound a basis that with ocean freight rates be-

(No plank)

Independent Progressive

coming normal, due to improvement in international affairs, it can be sold to American citizens.

built, and manned by American crews, which is essential for naval security in war, and is a protection to the American farmer and manufacturer against excessive ocean freight charges on products of farm and factory.

We declare that the government should own and operate such merchant ships as will insure the accomplishment of these purposes, and to continue such operation so long as it may be necessary without obstructing the development and growth of a privately owned American flag shipping.

CHANGES IN FEDERAL COURTS

Republican

Democratic

(No plank)

(No plank)

Independent Progressive

Abolition of the tyranny and usurpation of the courts, including the practice of nullifying legislation in conflict with the political, social or economic theories of the judges. Abolition of injunctions in labor disputes and of the power to punish for contempt without trial by jury. Election of all Federal judges without party designation for limited terms.

WATERWAYS, FLOOD CONTROL AND WATER POWER

Republican

Fully realizing the vital importance of transportation in both cost and service to all our people we favor the construction of the most feasible waterways from the Great Lakes to the Atlantic seaboard and

Democratic

We favor and will promote deep waterways from the Great Lakes to the Gulf and to the Atlantic Ocean.

We favor a policy for the fostering and building up of water transportation through

Independent Progressive

A deep waterway from the Great Lakes to the sea.

WATERWAYS, FLOOD CONTROL AND WATER POWER—(Continued)

Republican

the Gulf of Mexico, and the improvement and development of rivers, harbors and waterways, inland and coastwise, to the fullest extent justified by the present and potential tonnage available.

We favor a comprehensive survey of the conditions under which the flood waters of the Colorado River may be controlled and utilized for the benefit of the people of the states which border thereon.

The Federal Water Power Act establishes a national water power policy, and the way has thereby been opened for the greatest water power development in our history under conditions which preserve the initiative of our people while protecting the public interests.

Democratic

the improvement of inland waterways and the removal of discrimination against water transportation. Flood control and the lowering of flood levels is essential to the safety of life and property, the productivity of our lands, the navigability of our streams, and the reclaiming of our wet and overflowed lands and the creation of hydroelectric power. We favor the expeditious construction of flood relief works on the Mississippi and Colorado Rivers and also such reclamation and irrigation projects upon the Colorado River as may be found to be feasible and practical.

We favor liberal appropriations for prompt coordinated surveys by the United States to determine the possibilities of general navigation improvements and water-power development on navigable streams and their tributaries, to secure reliable information as to the most economical navigation improvement, in combination with the most efficient and complete development of water power.

We favor the suspension of the granting of Federal Water Power licenses by the Federal Water Power Commission until Congress has received reports from the Water Power Commission with regard to applications for such licenses.

WAR VETERANS

Republican

We reaffirm the admiration and gratitude which we feel for our soldiers and sailors.

The Republican party pledges a continuing and increasing solicitude for all those suffering any disability as a result of service to the United States in time of war. No country and no administration has ever shown a more generous disposition in the care of its disabled or more thoughtful consideration in providing a sound administration for the solution of the many problems involved in making intended benefits fully, directly and promptly available to the veterans.

The confusion, inefficiency and maladministration existing heretofore since the establishment of a Government agency for administering such benefits has in the main been cured by new legislation, and plans are being actively made looking to a further improvement in the operation of the Bureau. The basic statutes have been so liberalized as to bring within their terms one hundred thousand additional beneficiaries. The privilege of hospitalization in Government hospitals, as recommended by President Coolidge, has been granted to all veterans irrespective of the origin of disability and over \$50,000,000 has been appropriated for hospital construction which

Independent Progressive
(See Tariff and Taxation)

Democratic

We favor generous appropriations, honest management and sympathetic care and assistance in the hospitalization, rehabilitation and compensation of the veterans of all wars and their dependents. The humanizing of the Veterans' Bureau is imperatively required.

WAR VETERANS—(Continued)

Democratic

Republican

will provide sufficient beds to care for all. Appropriations totaling over \$1,100,000,000 made by the Republican congress for the care of the disabled evidenced the unmistakable purpose of the Government not to consider costs when the welfare of these men is concerned. No legislation for the benefit of the disabled soldier proposed during the last four years by veterans' organizations has failed to receive consideration.

We pledge ourselves to meet the problems of the future affecting the care of our wounded and disabled in a spirit of liberality, and with that thoughtful consideration which will enable the Government to give to the individual veteran that full measure of care guaranteed by an effective administration machinery to which his patriotic services and sacrifices entitle him.

Republican

We believe in the development, effective and efficient, whether of oil, timber, coal or water power resources of the Government, only as needed and only after the public need has become a matter of public record, protected with scrupulous careful-

Independent Progressive

CONSERVATION

Democratic

We pledge recovery of the Navy's oil reserves, and all other parts of the public domain, which have been fraudulently or illegally leased or otherwise wrongfully transferred to the control of private interests; vigorous prosecution of all public,

Independent Progressive

Public ownership of the Nation's water-power and creation of a public superpower system. Strict public control and permanent conservation of all national resources, including coal, iron and other ores, oil and timber lands, in the interest of the people.

officials, private citizens and corporations that participated in these transactions; revision of the water power act, the general leasing act, and all other legislation relating to the public domain, that may be essential to its conservation and honest and efficient use on behalf of the people of the country. We believe that the nation should retain title to its water power and we favor the expeditious creation and development of our water power. We favor strict public control and conservation of all the nation's natural resources, such as coal, iron, oil and timber, and their use in such manner as may be to the best interest of our citizens.

The conservation of migratory birds, the establishment of game preserves, and the protection and conservation of wild life is of importance to agriculturists as well as sportsmen.

Our disappearing natural resources of timber calls for a national policy of reforestation.

EDUCATION AND RELIEF

Democratic

We believe with Thomas Jefferson and other founders of the Republic that ignorance is the enemy of freedom and that each state, being responsible for the intellectual and moral qualifications of its citizens and for the expenditure of the moneys collected by taxation for the support of its schools,

Republican

The conservation of human resources is one of the most solemn responsibilities of government. There is an obligation which cannot be ignored and which demands that the Federal Government shall as far as lies within its power give to the people and the states the benefit of its counsel.

Independent Progressive

(No plank)

ness and vigilant watchfulness against waste, speculation and monopoly.

The natural resources of the country belong to all the people and are a part of an estate belonging to generations yet unborn. The government policy should be to safeguard, develop and utilize these possessions. The conservation policy of the nation originated with the Republican party under the inspiration of Theodore Roosevelt. We hold it a privilege of the Republican party to build as a memorial to him on the foundation which he laid.

EDUCATION AND RELIEF—(Continued)

Republican

The welfare activities of the Government connected with the various departments are already numerous and important, but lack the coordination which is essential to effective action. To meet these needs we approve the recommendation for the creation of a cabinet post of Education and Relief.

Democratic

shall use its sovereign right in all matters pertaining to education. The Federal Government should offer to the states such counsel, advice and aid as may be made available through the Federal agencies for the general improvement of our schools in view of our national needs.

Independent Progressive

(No plank)

MOBILIZATION FOR WAR

Republican

We believe that in time of war the nation should draft for its defense not only its citizens but also every resource which may contribute to success. The country demands that should the United States ever again be called upon to defend itself by arms the President be empowered to draft such material resources and such services as may be required, and to stabilize the prices of services and essential commodities, whether utilized in actual warfare or private activity.

Democratic

Independent Progressive

(No plank)

(No plank)

IMMIGRATION AND NATURALIZATION

Republican

The unprecedented living conditions in Europe following the World War created a condition by which we were threatened with mass immigration that would have seriously disturbed our economic life. The

Democratic

We pledge ourselves to maintain our established position in favor of the exclusion of Asiatic immigration.

Independent Progressive

(No plank)

law recently enacted is designed to protect the inhabitants of our country, not only the American citizen, but also the alien already with us who is seeking to secure an economic foothold for himself and family against the competition which would come from unrestricted immigration. The administrative features of the law represent a great constructive advance and eliminate the hardships suffered by immigrants under the emergency statute.

We favor the improvement of our naturalization laws and the adoption of methods which will exert a helpful influence among the foreign-born population and provide for the education of the alien in our language, customs, ideals and standards of life.

(No plank)

POPULAR ELECTIONS

Republican

(No plank)

Democratic

We pledge the Democratic party to a policy which will prevent members of either House who fail of re-election from participating in the subsequent sessions of Congress. This can be accomplished by fixing the days for convening the Congress immediately after the biennial, national election; and to this end we favor granting the right to the people of the several states to vote on proposed constitutional amendments on this subject.

Independent Progressive

(No plank)

Republican

We favor a continuance for the Territory of Hawaii of Federal assistance in harbor improvements, the appropriation of its share of federal funds and the systematic extension of the settlement of public lands by the Hawaiian race.

Republican

We indorse the policy of the present administration with reference to Alaska and favor a continuance of the constructive development of the Territory.

HAWAII

Democratic

We believe in a policy for continuing the improvements of the National Park, the harbors and breakwaters, and the Federal roads of the Territory of Hawaii.

ALASKA

Democratic

The maladministration of affairs in Alaska is a matter of concern to all our people.

Under the Republican administration of Alaska development has ceased, and the fishing industry has been seriously impaired. We pledge ourselves to correct the evils which have grown up in the administration of that rich domain.

An adequate form of local self-government for Alaska must be provided, and to that end we favor the establishment of a full territorial form of government for that territory similar to that enjoyed by all the territories except Alaska during the last century of American history.

PHILIPPINES

Democratic

The Filipino people have succeeded in maintaining a stable government and have thus fulfilled the only condition laid down

Republican

The Philippine policy of the Republican party has been and is inspired by the belief that our duty towards the Filipino people

Independent Progressive

(No plank)

Independent Progressive

(No plank)

Independent Progressive

Resolved, That we favor the immediate and complete independence of the Philippine Islands, in accordance with the pledges of

is a national obligation which should remain entirely free from partisan politics.

In accepting the obligation which came to them with the control of the Philippine Islands the American people had only the wish to serve, advance and improve the condition of the Filipino people. This thought will continue to be the dominating factor in the American consideration of the many problems which must inevitably grow out of our relationship to these people.

If the time comes when it is evident to Congress that independence would be better for the people of the Philippines with respect to both their domestic concerns and their status in the world, and the Filipino people then desire complete independence, the American Government will gladly accord it. The results of a careful study of the conditions in the Philippine Islands convinces us that the time for such action has not yet arrived.

by Congress as a prerequisite to the granting of independence. We declare that it is now our liberty and our duty to keep our promise to these people by granting them immediately the independence which they so honorably covet.

the official representatives of the American people.*

* Separate resolution adopted at La-Follette Conference for Progressive Political Action, following adoption of platform.

VIRGIN ISLANDS

Democratic

We recommend legislation for the welfare of the inhabitants of the Virgin Islands.

Independent Progressive

Resolved, That the appropriate legislation be enacted which will provide for the people of the Virgin Islands a more permanent form of civil government such as will enable them to attain their economic, industrial and political betterment.*

* Separate resolution adopted at La-Follette Conference for Progressive Political Action, following adoption of platform.

Republican

(No plank)

RECLAMATION

Republican

Federal reclamation of the arid and semi-arid lands in the West has been the subject of intensive study in the Department of the Interior during the past fiscal year. New policies and methods of operation have been adopted which promise to insure the successful accomplishment of the objects sought. The completion of this reorganization plan is regarded as one of the achievements of the present administration in the interests of farmers immediately and of all the people ultimately.

Democratic

The Democratic party was foremost in urging reclamation for the arid and semi-arid lands of the West. These lands are located in the public-land states, and, therefore, it is the duty of the Government to utilize their resources by reclamation.

Homestead entrymen under reclamation projects have suffered from the extravagant inefficiencies and mistakes of the Federal Government.

The Reclamation Act of 1924, recommended by the Fact-Finding Commission, and adding an amendment to the Second Deficiency Appropriation Bill at the last session of Congress, was eliminated from that bill by the Republican conferees in the report they presented to Congress one hour before adjournment. The Democratic party pledges itself actively, efficiently and economically to carry on the reclamation projects, and to make equitable adjustment for the mistakes the Government has made.

(No plank)

Independent Progressive

AVIATION

Republican

We advocate the early enactment of such legislation and the taking of such steps by the Government as will tend to promote commercial aviation.

Democratic

We favor a sustained development of aviation both by the Government and commercially.

Independent Progressive

(No plank)

ARMY AND NAVY Democratic

Republican

There must be no further weakening of our regular Army. We advocate appropriations sufficient to provide for the training of all members of the National Guard, the Citizens' Military Training Camps, the Reserve Officers' Training Corps, Officers' Reserve Corps, and the reserves who may offer themselves for service.

We pledge ourselves to round out and maintain the Navy to the full strength provided the United States by the letter and spirit of the Limitation of Armament Conference.

(No plank)

(No plank)

Independent Progressive

THE NEGRO Democratic

Republican

We urge the Congress to enact at the earliest possible date a Federal anti-lynching law, so that the full influence of the Federal Government may be wielded to exterminate this hideous crime.

We believe that much of the misunderstanding which now exists can be eliminated by humane and sympathetic study of its causes. The President has wisely recommended the creation of a commission for the investigation of social and economic conditions and the promotion of mutual understanding and confidence.

(No plank)

(No plank)

Independent Progressive

CORRUPTION IN GOVERNMENT

Democratic

Never before in our history has the government been so tainted by corruption, and never has an administration so utterly failed. The nation has been appalled by the revelations of political depravity which have characterized the conduct of public affairs. We arraign the Republican party for attempting to limit inquiry into official delinquencies and to impede, if not to frustrate, the investigations to which in the beginning the Republican party and leaders assented, but which later they regarded with dismay. These investigations sent the former Secretary of the Interior to Three Rivers in disgrace and dishonor. These investigations revealed the incapacity and indifference to public obligation of the Secretary of the Navy, compelling him, by force of public opinion, to quit the Cabinet. These investigations confirmed the general impression as to the unfitness of the Attorney-General by exposing an official situation and personal contacts which shocked the conscience of the nation and compelled his dismissal from the Cabinet. These investigations disclosed the appalling condition of the Veterans' Bureau with its fraud upon the Government, and its cruel neglect of the sick and disabled soldiers of the World War. These investigations revealed

Republican

We recognize the duty of constant vigilance to preserve at all times a clean and honest government and to bring to the bar of justice every defiler of the public service, in or out of office.

Dishonesty and corruption are not political attributes. The recent Congressional investigations have exposed instances in both parties of men in public office who are willing to sell official favors and men out of office who are willing to buy them, in some cases with money and in others with influence.

The sale of influence resulting from the holding of public position or from association while in public office, or the use of such influence for private gain or advantage is a perversion of public trust and prejudicial to good government. It should be condemned by public opinion and forbidden by law.

We demand the speedy, fearless and impartial prosecution of all wrong-doers, without regard to political affiliations or position; but we declare no greater wrong can be committed against the people than the attempt to destroy their trust in the great body of their public servants. Admitting the deep humiliation, which all good citizens share, that our public life should have har-

bored some dishonest men, we assert that these undesirables do not represent the standard of our national integrity.

The Government at Washington is served today by thousands of earnest, conscientious and faithful officials and employees in every branch. It is a grave wrong against these patriotic men and women to strive indiscriminately to besmirch the names of the innocent and undermine the confidence of the people in the government under which they live. It is even a graver wrong when this is done for partisan purpose or for selfish exploitation.

The Republican administration has already taken charge of the prosecution of official dereliction and it will continue the work of discovery and punishment, but it will not confuse the innocent with the guilty nor digress for partisan advantage from the strict enforcement of the law.

Republican

We must have respect for law. We must have observance of law. We must have

the criminal and fraudulent nature of the oil leases, which caused the Congress, despite the indifference of the Executive, to direct recovery of the public domain and the prosecution of the criminal.

Such are the exigencies of partisan politics that Republican leaders are teaching the strange doctrine that public censure should be directed against those who expose crime rather than against criminals who have committed the offenses. If only three Cabinet officers out of ten are disgraced, the country is asked to marvel at how many are free from taint. Long boastful that it was the only party "fit to govern," the Republican party has proven its inability to govern even itself. It is at war with itself. As an agency of government it has ceased to function. This nation cannot afford to entrust its welfare to a political organization that cannot master itself, or to an executive whose policies have been rejected by his own party. To retain in power an administration of this character would inevitably result in four years more of continued disorder, internal dissension and governmental inefficiency.

A vote for Coolidge is a vote for chaos!

LAW AND ORDER

Democratic

The Republican administration has failed to enforce the Prohibition Law; is guilty

(No plank)

Independent Progressive

(No plank)

Republican

enforcement of law. The very existence of the Government depends upon this. The substitution of private will for public law is only another name for oppression, disorder, anarchy and mob rule.

Every government depends upon the loyalty and respect of its citizens. Violations of law weaken and threaten government itself. No honest government can condone such actions on the part of its citizens. The Republican party pledges the full strength of the Government for the maintenance of these principles by the enforcement of the Constitution and of all laws.

Republican

We extend our greeting to the women delegates who for the first time under Federal authorization sit with us in full equality. The Republican party from the beginning has espoused the cause of woman suffrage, and the presence of these women delegates signifies to many here the completion of a task undertaken years ago. We welcome them not as assistants or as auxiliary representatives, but as co-partners in the great political work in which we are engaged and we believe that the actual partnership in party councils should be made more complete.

LAW AND ORDER—(Continued)

Democratic

of trafficking in liquor permits, and has become the protector of violators of this law.

The Democratic party pledges itself to respect and enforce the Constitution and all laws.

(No plank)

WOMEN IN POLITICS

Democratic

We welcome the women of the Nation to their rightful place by the side of men in the control of the Government whose burdens they have always shared.

The Democratic party congratulates them upon the essential part which they have taken in the progress of our country, and the zeal with which they are using their political power to aid the enactment of beneficent laws and the exaction of fidelity in the public service.

(No plank)

Independent Progressive

Independent Progressive

CAMPAIGN CONTRIBUTIONS

Democratic

The Nation now knows that the predatory interests have, by supplying Republican campaign funds, systematically purchased legislative favors and administrative immunity. The practice must stop; our Nation must return to honesty and decency in politics. Elections are public affairs conducted for the sole purpose of ascertaining the will of the sovereign voters. Therefore, we demand that national elections shall hereafter be kept free from the poison of excessive private contributions. To this end, we favor reasonable means of publicity, at public expense, so that candidates, properly before the people for Federal offices, may present their claims at a minimum of cost. Such publicity should precede the Primary and the election. We favor the prohibition of individual contributions, direct and indirect, to the campaign funds of congressmen, senators or Presidential candidates, beyond a reasonable sum to be fixed in the law, for both individual contributions and total expenditures, with requirements for full publicity. We advocate a complete revision of the Corrupt Practice Act to prevent Newberryism and the election evils disclosed by recent investigations.

(No plank)

(No plank)

NARCOTICS

Republican

Democratic

Recognizing in narcotic addiction, especially the spreading of heroin addiction among the youth, a grave peril to America and to the human race, we pledge ourselves vigorously to take against it all legitimate and proper measures for education, for control and for suppression at home and abroad.

(No plank)

(No plank)

Independent Progressive

STATES' RIGHTS

Republican

Democratic

We demand that the States of the Union shall be preserved in all their vigor and power. They constitute a bulwark against the centralizing and destructive tendencies of the Republican party.

We condemn the efforts of the Republican administration to nationalize the functions and duties of the States.

We oppose the extension of bureaucracy, the creation of unnecessary bureaus and Federal agencies and the multiplication of offices and officeholders.

We demand a revival of the spirit of local self-government essential to the preservation of the free institutions of our Republic.

(No plank)

(No plank)

Independent Progressive

COLLECTIVE BARGAINING

Republican

(No plank)

Democratic

(No plank)

Independent Progressive

Adequate laws to guarantee to farmers and industrial workers the right to organize and bargain collectively, through representatives of their own choosing, for the maintenance or improvement of their standards of life.

CONSTITUTIONAL GUARANTEES

Republican

The Republican Party reaffirms its unyielding devotion to the Constitution and to the guarantees of civil, political and religious liberty therein contained.

Democratic

The Democratic party reaffirms its adherence and devotion to those cardinal principles contained in the Constitution and the precepts upon which our Government is founded, that Congress shall make no laws respecting the establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances, that the Church and the State shall be and remain separate, and that no religious test shall ever be required as a qualification to any office of public trust under the United States. These principles we pledge ourselves ever to defend and maintain. We insist at all times upon obedience to the orderly processes of the law and deplore and condemn any effort to arouse religious or racial dissension.

Independent Progressive

Unqualified enforcement of the constitutional guarantees of freedom of speech, press and assemblage.

CONCLUSION

Republican

In our form of government, parties are essential instrumentalities. Our Government functions best when the Chief Executive is supported in the Congress by a majority of the same political faith, united by common principles and able by concerted action to carry out in an orderly way a definite, consistent and balanced program.

In urging the people to elect a Republican President and Vice President, we ask them to elect to the Senate and House of Representatives men and women who believe in the Republican principles, acknowledge party responsibility and who can be relied upon to keep faith with the people by carrying out the platform which the Republican party now presents and pledges itself to fulfill.

Democratic

Affirming our faith in these principles we submit our cause to the people.

Independent Progressive

In supporting this program we are applying to the needs of to-day the fundamental principles of American democracy, opposing equally the dictatorship of plutocracy and the dictatorship of the proletariat.

We appeal to all Americans without regard to partisan affiliation, and we raise the standards of our faith so that all of like purpose may rally and march in this campaign under the banners of progressive union.

The Nation may grow rich in the vision of greed. The Nation will grow great in the vision of service.

APPENDIX B

POLITICAL CONTROL IN THE PRESIDENCY AND IN CONGRESS, 1789-1929

<i>Congress</i>	<i>Years</i>	<i>President</i>		<i>Senate</i>	<i>House</i>
1	1789-1791	Washington,	F	F	F
2	1791-1793	Washington,	F	F	F
3	1793-1795	Washington,	F	F	F
4	1795-1797	Washington,	F	F	F
5	1797-1799	J. Adams,	F	F	F
6	1799-1801	J. Adams,	F	F	F
7	1801-1803	Jefferson,	D-R	D-R	D-R
8	1803-1805	Jefferson,	D-R	D-R	D-R
9	1805-1807	Jefferson,	D-R	D-R	D-R
10	1807-1809	Jefferson,	D-R	D-R	D-R
11	1809-1811	Madison,	D-R	D-R	D-R
12	1811-1813	Madison,	D-R	D-R	D-R
13	1813-1815	Madison,	D-R	D-R	D-R
14	1815-1817	Madison,	D-R	D-R	D-R
15	1817-1819	Monroe,	D-R	D-R	D-R
16	1819-1821	Monroe,	D-R	D-R	D-R
17	1821-1823	Monroe,	D-R	D-R	D-R
18	1823-1825	Monroe,	D-R	D-R	D-R
19	1825-1827	J. Q. Adams,	D-R	D-R	D-R
20	1827-1829	J. Q. Adams,	D-R	D-R	D-R
21	1829-1831	Jackson,	D	D	D
22	1831-1833	Jackson,	D	D	D
23	1833-1835	Jackson,	D	D	D
24	1835-1837	Jackson,	D	D	D
25	1837-1839	Van Buren,	D	D	D
26	1839-1841	Van Buren,	D	D	1
27	1841-1843	W. H. Harrison,	W	and	
		Tyler,	D	W	W
28	1843-1845	Tyler,	D	W	D
29	1845-1847	Polk,	D	D	D
30	1847-1849	Polk,	D	D	W
31	1849-1851	Taylor,	W	and	
		Fillmore,	W	D	2
32	1851-1853	Fillmore,	W	D	D
33	1853-1855	Pierce,	D	D	D
34	1855-1857	Pierce,	D	D	3
35	1857-1859	Buchanan,	D	D	D
36	1859-1861	Buchanan,	D	D	R

480 PARTY PRINCIPLES AND PRACTICAL POLITICS

<i>Congress</i>	<i>Years</i>	<i>President</i>		<i>Senate</i>	<i>House</i>
37	1861-1863	Lincoln,	R	R	R
38	1863-1865	Lincoln,	R	R	R
39	1865-1867	Lincoln,	U-R and		
		Johnson,	U	U-R	U-R
40	1867-1869	Johnson,	U	R	R
41	1869-1871	Grant,	R	R	R
42	1871-1873	Grant,	R	R	R
43	1873-1875	Grant,	R	R	R
44	1875-1877	Grant,	R	R	D
45	1877-1879	Hayes,	R	R	D
46	1879-1881	Hayes,	R	D	D
47	1881-1883	Garfield,	R and	4	R
		Arthur,	R		
48	1883-1885	Arthur,	R	R	D
49	1885-1887	Cleveland,	D	R	D
50	1887-1889	Cleveland,	D	R	D
51	1889-1891	Harrison,	R	R	R
52	1891-1893	Harrison,	R	R	D
53	1893-1895	Cleveland,	D	D	D
54	1895-1897	Cleveland,	D	R	R
55	1897-1899	McKinley,	R	R	R
56	1899-1901	McKinley,	R	R	R
57	1901-1903	McKinley,	R and		
		Roosevelt,	R	R	R
58	1903-1905	Roosevelt,	R	R	R
59	1905-1907	Roosevelt,	R	R	R
60	1907-1909	Roosevelt,	R	R	R
61	1909-1911	Taft,	R	R	R
62	1911-1913	Taft,	R	R	D
63	1913-1915	Wilson,	D	D	D
64	1915-1917	Wilson,	D	D	D
65	1917-1919	Wilson,	D	D	5
66	1919-1921	Wilson,	D	R	R
67	1921-1923	Harding,	R	R	R
68	1923-1925	Harding,	R and		
		Coolidge,	R	R	R
69	1925-1927	Coolidge,	R	R	R
70	1927-1929	Coolidge,	R	6	R

1 In a compromise over two delegations from New Jersey, the contestants were seated and a Whig in favor of the independent treasury was elected Speaker.

2 Thirteen Free Soilers held the balance of power, there being 112 Democrats and 105 Whigs.

3 No party had a majority but a Speaker was chosen through coalition of members of Republican and American parties.

4 One independent and one Readjuster held balance of power, the independent being chosen president pro tempore.

5 Democratic Speaker chosen because of support of an Independent, a Socialist, a Prohibitionist, a Progressive and a Progressive-Protectionist.

6 Actual Republican majority if Republicans are seated from Illinois and Pennsylvania.

APPENDIX C

ELECTORAL AND POPULAR VOTE FOR PRESIDENT

<i>Year</i>	<i>Party</i>	<i>For President</i>	<i>Electoral Vote</i>	<i>Popular Vote</i>	<i>For Vice President</i>	<i>Electoral Vote</i>
1789		George Washington	69			
		John Adams	34			
		John Jay	9			
		R. H. Harrison	6			
		John Rutledge	6			
		John Hancock	4			
		George Clinton	3			
		Samuel Huntington	2			
		John Milton	2			
		Benjamin Lincoln	1			
		James Armstrong	1			
		Edward Telfair	1			
		Vacancies	4			
1792	Fed.	George Washington	132			
	Fed.	John Adams	77			
	Rep.	George Clinton	50			
	D.-R.	Thomas Jefferson	4			
	D.-R.	Aaron Burr	1			
		Vacancies	3			
1796	Fed.	John Adams	71			
	D.-R.	Thomas Jefferson	68			
	D.-R.	Aaron Burr	30			
	D.-R.	Samuel Adams	15			
	D.-R.	George Clinton	7			
	Fed.	Thomas Pinckney	59			
	Fed.	John Jay	5			
	Fed.	James Iredell	3			
	Fed.	George Washington	2			
	Fed.	John Henry	2			
	Fed.	S. Johnson	2			
	Fed.	Charles C. Pinckney	1			
	Ind.	Oliver Elsworth	11			
1800	D.-R.	Thomas Jefferson	73			
	D.-R.	Aaron Burr	73			
	Fed.	John Adams	65			
	Fed.	Charles C. Pinckney	64			
	Fed.	John Jay	1			
		Vacancies	2			
1804	D.-R.	Thomas Jefferson	162		George Clinton	162
	Fed.	Charles C. Pinckney	14		Rufus King	14
1808	D.-R.	James Madison	122		George Clinton	113
	D.-R.	George Clinton	6		James Madison	3
	D.-R.				John Langdon	9
	D.-R.				James Monroe	3
	Fed.	Charles C. Pinckney	47		Rufus King	47
		Vacancy	1		Vacancy	1
1812	D.-R.	James Madison	128		Elbridge Gerry	131
	Fed.	DeWitt Clinton	89		Jared Ingersoll	86
		Vacancy	1		Vacancy	1

482 PARTY PRINCIPLES AND PRACTICAL POLITICS

Year	Party	For President	Electoral Vote	Popular Vote	For Vice President	Electoral Vote
1816	D.-R.	James Monroe	183		Daniel D. Tompkins	183
	Fed.	Rufus King	34		John E. Howard	22
	Fed.				James Ross	5
	Fed.				John Marshall	4
	Fed.				Robert G. Harper	3
		Vacancies	4		Vacancies	4
1820	D.-R.	James Monroe	231		Daniel D. Tompkins	218
	D.-R.	John Quincy Adams	1			
	Fed.				Richard Stockton	8
	Fed.				Daniel Rodney	4
	Fed.				Robert G. Harper	1
	Fed.				Richard Rush	1
	Fed.				Vacancies	3
1824	D.-R.	Andrew Jackson	99	155,872	John C. Calhoun	182
	D.-R.	John Quincy Adams	84	105,321	Nathan Sanford	30
	D.-R.	William H. Crawford	41	44,282	Nathaniel Macon	24
	D.-R.	Henry Clay	37	46,587	Andrew Jackson	13
	D.-R.				Martin Van Buren	9
	D.-R.				Henry Clay	2
					Vacancy	1
1828	Dem.	Andrew Jackson	178	647,231	John C. Calhoun	171
	Dem.				William Smith	7
	N. R.	John Quincy Adams	83	509,097	Richard Rush	83
1832	Dem.	Andrew Jackson	219	687,502	Martin Van Buren	189
	Dem.				William Wilkins	30
	N. R.	Henry Clay	49	530,189	John Sergeant	49
	A.-M.	William Wirt	7	33,108	Amos Ellmaker	7
	Nul.	John Floyd	11		Henry Lee	11
		Vacancies	2		Vacancies	2
1836	Dem.	Martin Van Buren	170	761,549	Richard M. Johnson	147
	Dem.				William Smith	23
	Whig	William H. Harrison	73	736,656	Francis Granger	77
	Whig	Hugh L. White	26		John Tyler	47
	Whig	Daniel Webster	14			
	Whig	Willie P. Mangum	11			
1840	Whig	William H. Harrison	234	1,275,017	John Tyler	234
	Dem.	Martin Van Buren	60	1,128,702	Richard M. Johnson	48
	Dem.				L. W. Tazewell	11
	Dem.				James K. Polk	1
	Lib.	James G. Birney		7,059	Thomas Earle	
1844	Dem.	James K. Polk	170	1,337,243	George M. Dallas	170
	Whig	Henry Clay	105	1,299,068	T. Frelinghuysen	105
	Lib.	James G. Birney		62,300	Thomas Morris	
1848	Whig	Zachary Taylor	163	1,360,101	Millard Fillmore	163
	Dem.	Lewis Cass	127	1,220,544	William O. Butler	127
	F. S.	Martin Van Buren		291,263	Charles F. Adams	
1852	Dem.	Franklin Pierce	254	1,601,474	William R. King	254
	Whig	Winfield Scott	42	1,386,578	William A. Graham	42
	F. S. D.	John P. Hale		156,149	George W. Julian	
1856	Dem.	James Buchanan	174	1,838,169	John C. Breckenridge	174
	Rep.	John C. Frémont	114	1,341,264	William L. Dayton	114
	Amer.	Millard Fillmore	8	874,534	A. J. Donelson	8
1860	Rep.	Abraham Lincoln	180	1,866,332	Hannibal Hamlin	180
	Dem.	John C. Breckenridge	72	845,763	Joseph Lane	72
	Dem.	Stephen A. Douglas	12	1,375,157	Herschel V. Johnson	12
	C. U.	John Bell	39	589,581	Edward Everett	39
1864	U.-R.	Abraham Lincoln	212	2,216,067	Andrew Johnson	212
	Dem.	George B. McClellan	21	1,808,725	George H. Pendleton	21
		Vacancies	81			81
1868	Rep.	Ulysses S. Grant	214	3,015,071	Schuyler Colfax	214
	Dem.	Horatio Seymour	80	2,709,613	F. P. Blair, Jr.	80
		Vacancies	23			23

Year	Party	For President	Electoral Vote	Popular Vote	For Vice President	Electoral Vote
1872	Rep.	Ulysses S. Grant	286	3,597,070	Henry Wilson	286
	D.-L. R.	Horace Greeley		2,834,079	B. Gratz Brown	47
	D.-L. R.	Thomas A. Henricks	42		A. H. Colquitt	5
	D.-L. R.	B. Gratz Brown	18		George W. Julian	5
	D.-L. R.	Charles J. Jenkins	2		John M. Palmer	3
	D.-L. R.	David Davis	1		T. E. Bramlette	3
	D.-L. R.				W. S. Groesbeck	1
	D.-L. R.				Willis B. Machen	1
	D.-L. R.				Nathanial P. Banks	1
	Dem.	Charles O'Connor		29,408	John Quincy Adams	
	Proh.	James Black		5,608	John Russell	
		Not counted ¹	17		Not counted	14
1876	Rep.	Rutherford B. Hayes	185	4,033,950	William A. Wheeler	185
	Dem.	Samuel J. Tilden	184	4,284,885	Thomas A. Hendricks	184
	Gbk.	Peter Cooper		81,740	Samuel F. Cary	
	Proh.	Green C. Smith		9,522	G. T. Stewart	
1880	Rep.	James A. Garfield	214	4,442,950	Chester A. Arthur	214
	Dem.	Winfield S. Hancock	155	4,442,035	William H. English	155
	Gbk.	James B. Weaver		306,867	B. J. Chambers	
	Proh.	Neal Dow		10,305	A. M. Thompson	
1884	Dem.	Grover Cleveland	219	4,911,017	Thomas A. Hendricks	219
	Rep.	James G. Blaine	182	4,484,334	John A. Logan	182
	Proh.	John P. St. John		151,809	William Daniel	
	Lab.	Benjamin F. Butler		133,825	A. M. West	
1888	Rep.	Benjamin Harrison	233	5,441,923	Levi P. Morton	233
	Dem.	Grover Cleveland	168	5,536,524	Allen G. Thurman	168
	Proh.	Clinton B. Fisk		246,406	John A. Brooks	
	U. L.	Alson J. Streeter		144,608	Samuel Evans	
1892	Dem.	Grover Cleveland	277	5,554,267	Adlai E. Stevenson	277
	Rep.	Benjamin Harrison	145	5,175,201	Whitelaw Reid	145
	Pro.	James B. Weaver	22	1,042,531	James G. Field	22
	Proh.	John Bidwell		269,299	J. B. Cranfill	
	S.-L.	Simon Wing		21,266	Charles H. Matchett	
1896	Rep.	William McKinley	271	7,111,607	Garrett A. Hobart	271
	Dem.	William J. Bryan	176	6,509,052	Arthur Sewall	149
	Pro.	William J. Bryan			Thomas E. Watson	27
	N. D.	John M. Palmer		134,645	Simon B. Buckner	
	Proh.	Joshua Levering		131,312	Hale Johnson	
	S.-L.	Charles H. Matchett		36,576	Matthew Maguire	
	N. P.	Charles E. Bentley		13,968	James H. Southgate	
1900	Rep.	William McKinley	292	7,219,525	Theodore Roosevelt	292
	Dem.					
	Pro.	William J. Bryan	155	6,358,737	Adlai E. Stevenson	155
	S. R.					
	Proh.	John G. Wolley		209,157	Henry B. Metcalf	
	S. D.	Eugene V. Debs		94,864	Job Harriman	
	Pop.	Wharton Barker		50,599	Ignatius Donnelly	
	S.-L.	Joseph F. Malloney		33,432	Valentine Rimmel	
	U. Ref.	Seth Ellis		5,698	Samuel T. Nicholson	
	U. C.	Jonah F. R. Leonard		1,059	David H. Martin	
1904	Rep.	Theodore Roosevelt	336	7,628,785	Charles W. Fairbanks	336
	Dem.	Alton B. Parker	140	5,079,704	Henry G. Davis	140
	Soc.	Eugene V. Debs		402,895	Benjamin Hanford	
	Proh.	Silas C. Swallow		258,950	George W. Carroll	
	Pop.	Thomas E. Watson		114,546	Thomas H. Tibbles	
	S.-L.	Charles H. Corrigan		33,490	William W. Cox	
1908	Rep.	William H. Taft	321	7,677,788	James S. Sherman	321
	Dem.	William J. Bryan	162	6,407,982	John W. Kern	162
	Soc.	Eugene V. Debs		420,890	Benjamin Hanford	
	Proh.	Eugene W. Chafin		252,511	Aaron S. Watkins	
	Inde.	Thomas L. Hisgen		83,651	John Temple Graves	
	Pop.	Thomas E. Watson		29,146	Samuel W. Williams	
	S.-L.	August Gillhaus		14,021	Donald L. Munroe	

¹ Including 3 votes for Horace Greeley, deceased, and 14 from states not as yet re-admitted.

484 PARTY PRINCIPLES AND PRACTICAL POLITICS

<i>Year</i>	<i>Party</i>	<i>For President</i>	<i>Electoral Vote</i>	<i>Popular Vote</i>	<i>For Vice President</i>	<i>Electoral Vote</i>
1912	Dem.	Woodrow Wilson	435	6,293,019	Thomas R. Marshall	435
	Prog.	Theodore Roosevelt	88	4,119,507	Hiram W. Johnson	88
	Rep.	William H. Taft	8	3,484,956	Nicholas M. Butler	8
	Soc.	Eugene V. Debs		901,873	Emil Seidel	
	Proh.	Eugene W. Chafin		207,828	Aaron S. Watkins	
1916	S.-L.	Arthur E. Reimer		29,259	John M. Francis	
	Dem.	Woodrow Wilson	277	9,129,606	Thomas R. Marshall	277
	Rep.	Charles E. Hughes	254	8,538,221	Charles W. Fairbanks	254
	Soc.	Allan L. Benson		585,113	George R. Kirkpatrick	
	Proh.	J. Frank Hanly		220,506	Ira Landrith	
1920	S.-L.	Arthur E. Reimer		13,403	Caleb Harrison	
	Prog.			41,894	John M. Parker	
	Rep.	Warren G. Harding	404	16,152,200	Calvin Coolidge	404
	Dem.	James M. Cox	127	9,147,353	Franklin D. Roosevelt	127
	Soc.	Eugene V. Debs		919,799	Seymour Stedman	
1924	F.-L.	Parley P. Christensen		265,411	Max S. Hayes	
	Proh.	Aaron S. Watkins		189,408	Marie C. Brehm	
	S.-L.	William W. Cox		31,175	August Gillhaus	
	S. Tax	Robert C. Macauley		5,837	Richard C. Barnum	
	Rep.	Calvin Coolidge	382	15,725,016	Charles G. Dawes	382
	Dem.	John W. Davis	136	8,386,503	Charles W. Bryan	136
	I. P.-S.	Robert M. LaFollette	13	4,822,856	Burton K. Wheeler	13
	Proh.	Herman P. Faris		57,520	Marie C. Brehm	
	S.-L.	Frank T. Johns		36,428	Verne L. Reynolds	
	Wks.	William Z. Foster		36,386	Benjamin Gitlow	
	Amer.	Gilbert O. Nations		23,967	Charles H. Randall	
	C. L.	William J. Wallace		1,532	J. C. Lincoln	

Abbreviations of party names: A.-M., Anti-Masonic; Amer., American; C. L., Commonwealth Land; C. U., Constitutional Union; D.-L. R., Democratic-Liberal Republican; D.-R., Democratic-Republican; Dem., Democratic; Ind., Independent; Inde., Independence; F.-L., Farmer-Labor; F. S., Free Soil; F. S. D., Free Soil Democracy; Fed., Federalist; Gbk., Greenback; I. P.-S., Independent Progressive-Socialist; Lab., Labor; Lib., Liberty; N. D., National Democratic; N. P., National Prohibition; N. R., National Republican; Nul., Nullifiers; Peo., People's; Pop., Populist; Prog., Progressive; Proh., Prohibition; Rep., Republican; S. D., Social Democratic; S.-L., Socialist-Labor; S. R., Silver Republican; Soc., Socialist; U. C., United Christian; U. L., Union Labor; U.-R., Union-Republican; U. Ref., Union Reform; Wks., Workers.

APPENDIX D

THE CONSTITUTION OF THE UNITED STATES

WE THE PEOPLE *of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defense, promote general Welfare, and secure the Blessings of Liberty to Ourselves and our Posterity, do ordain and establish this* CONSTITUTION *for the United States of America.*

ARTICLE I

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several states which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three-fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight,

486 PARTY PRINCIPLES AND PRACTICAL POLITICS

Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Elections to fill such Vacancies.

The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two-thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two-thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one-fifth of those present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any Civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION 7. All Bills for raising Revenues shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; if he approves he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two-thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be recon-

sidered, and if approved by two-thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a law, in like Manner as if he had signed it, unless Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION 8. The Congress shall have Power To lay and collect Taxes, Duties, Imports and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imports and Excises shall be uniform throughout the United States.

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To Coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors an exclusive Right to their respective Writings and Discoveries;

To constitute Tribunal's inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions.

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No bill of Attainder or ex-post facto Law shall be passed.

No Capitation, or other direct, tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office or Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION 10. No State shall enter into any Treaty, Alliance, or Con-

federation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE II

SECTION 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same term, be elected as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The electors shall meet in their respective States, and vote by ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, direct to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately choose by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner choose the

President. But in choosing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall choose from them by Ballot the Vice President.

The Congress may determine by the Time of choosing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to Discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation, or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

SECTION 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent

of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION 3. He shall from time to time give to the Congress Information of the state of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III

SECTION 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

SECTION 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture, except during the Life of the Person attained.

ARTICLE IV

SECTION 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

SECTION 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature, cannot be convened) against domestic Violence.

ARTICLE V

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII

The Ratification of the Conventions of nine States shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Articles in Addition to, and Amendment of, the Constitution of the United States of America, Proposed by Congress, and Ratified by the Legislatures of the Several States Pursuant to the Fifth Article of the Constitution.

ARTICLE I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II

A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.

ARTICLE III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or Affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defence.

ARTICLE VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ARTICLE XI

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

ARTICLE XII

The Electors shall meet in their respective States and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for

as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice President, shall be the Vice President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

ARTICLE XIII

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XVI

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

ARTICLE XVII

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution.

ARTICLE XVIII

SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SECTION 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

ARTICLE XIX

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

INDEX

INDEX

A

- Abolitionists, convention of 1843, 71
- Absentee voting:
 - Civil War statutes, 329
 - District of Columbia, 330
 - present laws, 329
- Adams, Charles Francis, Free Soil Vice Presidential candidate, 73
- Adams, John:
 - cabinet dissension, 41
 - defeated for President, 40
 - elected President, 35
 - elected Vice President, 25
 - Monroe elector, 57
 - on early American divisions, 12
 - opposition to in 1792, 31
 - party leadership, 62
 - political views, 35
 - reelected Vice President, 31
 - retains Washington's Cabinet, 37
- Adams, John Quincy:
 - Anti-Mason, 58
 - elected President, 57, 58
 - joins Republicans, 52
 - party leadership, 62
 - secretary of state, 57
- Adams, II, John Quincy, nominated for Vice President, 89
- Adams, Samuel, defeated for Congress, 27
- Addison, Alexander, impeachment of, 49
- Advertisements, 259
- Affiliates of party, 422
- Aldrich, Nelson W., tariff, 120
- Alien and sedition laws, passed by Federalists, 38
- Allison, William B., silver, 97
- Ames, Fisher:
 - elected to Congress, 27
 - tariff, 30
- American Arbitration Association, not a party, 4

- American Federation of Labor, Democratic reward, 130
- American system, 65
- Anglicans:
 - early American politics, 12
- Annapolis convention, 18
- Anti-Federalists:
 - called Republicans,
 - first Presidential election, 25
 - ratification of Constitution, 22
 - Washington's administration, 25
- Anti-Masons:
 - first nominating convention, 176
 - three-fourths' rule, 216
- Anti-Saloon League, political purposes, 3
- Arthur, Chester A.:
 - civil service, 375
 - elected Vice President, 98, 99
 - succeeds to Presidency, 99
 - tariff reduction, 99
- Article X, 133
- Articles of Confederation:
 - selfish interests involved, 18
 - weaknesses of, 17
- Assumption, Hamilton proposes, 28
- Atchison, David R., Kansas admission, 75

B

- Ballinger, Richard A., 121
- Ballot, Australian:
 - early introduction, 321
 - independent candidacies, 326
 - Indiana type, 324
 - Massachusetts type, 324
 - office group type, 324
 - order on, 326
 - party column type, 324
 - recognized by conventions, 179
- Ballot frauds: See Frauds, ballot
- Ballots: See also Ballot, Australian
 - count of, 331
 - early, 321

- Ballots (*Cont.*):
 early printed, 321
 primary, 187
 vive voca, 321
 written, 321
 Band wagon, 216
 Bank, National:
 charter expired, 59
 charter renewed, 59
 Hamilton proposes, 29
 Jackson's veto, 65
 Jefferson's attitude, 29
 Madison's attitudes, 29, 59
 Randolph's attitude, 29
 Washington's attitude, 29
 Bankruptcy act, 51
 Banks, Nathaniel P., chosen speaker, 76
 Baptist influence, 149
 Barnburners, 7, 72
 Bayard, James A., aids Jefferson's election, 41
 Bell, John, Presidential candidate, 78
 Benton, Thomas H.:
 Jackson supporter, 66
 Tyler supporter, 70
 Berlin decree, 52
 Bets, 264
 Biddle, Nicholas, 65
 Billboards, 259
 Bi-partisan boards: See Boards, bi-partisan
 Birney, Thomas, nominated for President, 71
 Blaine, James G.:
 nominated for President, 100
 resigns as secretary of state, 104
 Blair, jr., Francis P., Vice Presidential candidate, 87
 Bland, Richard P., silver, 97
 Bloc:
 definition, 7
 dry, 8
 farm, 8
 protective tariff farm, 8
 veterans, 8
 wet, 8
 Board of Temperance, Prohibition and Public Morals, political activities, 3
 Boards, bi-partisan:
 Civil Service Commission, 400
 election commissions, 401
 Federal Trade Commission, 400
 Boards, bi-partisan (*Cont.*):
 gubernatorial appointments, 401
 Illinois, 401
 tariff commission, 400
 Borah, William E., campaign expenditures of 1924, 271
 Boss, defined, 228, 229
 Breckenridge, John, Federal judiciary, 48
 Breckenridge, John C.:
 Presidential candidate, 78
 Vice Presidential candidate, 76
 Brehm, Marie C., Vice Presidential candidate, 134
 Bribery:
 common law, 289
 Parliamentary action, 289
 penalties, 289
 state laws, 289
 Brookhart, Smith W., Iowa primary, 191
 Brown, B. Gratz, Vice Presidential candidate, 88, 89
 Bryan, Charles W., Vice Presidential candidate, 137, 138
 Bryan, William Jennings:
 convention chairmanship, 212
 Democratic convention of 1912, 123
 dark horse, 219
 first Presidential nomination, 107
 named secretary of state, 129
 party leadership, 229
 Prohibition nomination, 134
 resigns as secretary of state, 130
 second Presidential nomination, 115
 third Presidential nomination, 119
 whirlwind campaign, 258
 Bryant, William Cullen, partisanship, 423
 Buchanan, James:
 campaign expenditures, 266
 Compromise of 1850, 74
 Presidential candidate, 76
 Bucklin, James W., 359
 Bucklin system:
 Federal Reserve Board, 360
 introduction, 359
 objections, 361
 operation of, 360
 Ware counting, 360
 Buckner, Simeon B., Vice Presidential candidate, 108
 Bull Moose: See Progressives
 Burchard, Dr., 101, 252

- Burr, Aaron:
 early Anti-Federalist, 27
 elected Vice President, 41
 electoral votes in 1796, 35
 gubernatorial candidate, 81
 Republicans disavow, 51
 Tammany Hall, 235
- Butler, Benjamin F.:
 conflict with Johnson, 86
 elected governor, 100
 Presidential candidate, 100
- Butler, Nicholas M., Vice Presidential candidate, 123
- Butler, William O., Vice Presidential candidate, 73
- C
- Caffery, Donelson, declines nomination, 15
- Calhoun, John C.:
 affiliates with Whigs, 67
 attitude toward Jackson, 65
 Compromise of 1850, 74
 early career, 53
 elected Vice President, 57, 58
 supports Tyler, 70
 tariff of abominations, 64
 tariff of 1816, 55
- Calhoun, Mrs. John C., 64
- Cameron, J. Donald, 228
- Campaign appeals:
 conversion, 250
 emotional, 250
 intellectual, 249
 masses, 250
 occupational, 251
 racial, 250
 slogans, 252
- Campaign funds, publicity: See Expenditures, campaign; See State laws concerning
- Campaign manager, 222
- Campaign methods, 249
- Campaign types:
 front porch, 258
 gum shoe, 257
 hoopla or hurrah, 257
 whirlwind, 268
- Canadian reciprocity, 121
- Candidacies, launching independent Presidential, 224
- Candidates:
 notification of, 224
- Candidates (*Cont.*):
 protection to, 311
 withdrawal of, 180
- Cannon, Joseph G., House rules, 121
- Cannonism, 121
- Capital, Republican, 146
- Cards, 260
- Carlisle, John G., tariff reform, 102
- Cary, Samuel F., Vice Presidential candidate, 90
- Cass, Lewis:
 Compromise of 1850, 74
 Presidential candidate, 73
- Catholics, Roman:
 early American politics, 12
 influence, 144, 148
- Caucasian domination, 149
- Caucus, Congressional, See Caucus, legislative
- Caucus, Congressional nominating:
 criticism in 1816
 Federalist of 1800, 173
 first held, 172
 peace Republican condemnation, 173
 official from 1800 to 1824, 173
 Republican of 1800, 173
- Caucus, legislative:
 advantages, 393
 closed, 395
 composition, 391
 conference, 395
 disadvantages, 392
 expulsion from, 395
 House of Representatives, Democratic, 393
 open, 395
 rules, 394
 vote to control, 392
 under Wilson, 129, 393
- Caucus, legislative nominating:
 legislative assumption, 174
 mixed, 174, 175
 Presidential nominations, 174
- Caucus, nominating, advantages and disadvantages, 179
- Cavaliers and Roundheads, 11
- Challengers, 263, 331
- Chamberlain, George E., recall of officials, 417
- Chambers, B. J., Vice Presidential candidate, 98
- Chase, Salmon P., Compromise of 1850, 74
- Chase, Samuel, Impeachment of, 49

- Chesapeake affair, 52
- Chicago organization, 239
- Citizens' Union, when a party, 4
- Civil Service: See also Spoils system
 - Arthur, Chester A., 375
 - bi-partisan, 400
 - Boston, 377
 - Cleveland, Grover, 375
 - Coolidge, Calvin, 378
 - Curtis, George William, 375
 - Eaton, Dorman B., 375
 - Federal Civil Service Commission, 375
 - Garfield's assassination, 375
 - Harding, Warren G., 377
 - Harrison, Benjamin, 376
 - McKinley, jr., William, 376
 - municipal laws, 379
 - Order of March 31, 1917, 376
 - Pendleton act, 375
 - Roosevelt, Theodore, 376, 378
 - Schurz, Carl, 375
 - state laws, 379
 - Taft, William H., 376
 - Wilson, Woodrow, 376
- Civil War:
 - politics of, 84
 - present influence, 142
- Clark, Champ:
 - Baltimore convention, 217
 - opposes tolls repeal, 130
 - partisanship, 423
- Class interests, 146
- Clay, Henry:
 - American system, 65
 - bank veto, 66
 - breaks with Tyler, 70
 - displeased with Taylor, 73
 - first presidential candidacy, 57, 58
 - introduces Compromise of 1850, 73
 - nominated by National Republicans, 66
 - opposes French policy, 67
 - Presidential candidate in 1844, 71
 - rallies opposition, 63
 - Secretary of State, 58
 - speaker, 53
- Clayton anti-trust acts, 129
- Cleveland, Grover:
 - civil service, 375
 - defeated for President, 102
 - elected governor, 100
 - elected President, 100, 101
 - partisanship, 423
 - Cleveland, Grover (*Cont.*):
 - re-elected President, 105
 - urges tariff reduction, 100
 - Wilson-Gorman act, 106
- Clinton, DeWitt, Presidential candidate, 54
- Clinton, George:
 - anti-Federalist, 27
 - candidacy of 1792, 172
 - elected Vice President, 51
 - electoral votes in 1789, 25
 - opposes Adams, 31
 - re-elected Vice President, 53
- Cochrane, John, candidacy of 1864, 85
- Colby, Bainbridge, supports Wilson, 132
- Colfax, Schuyler, elected Vice President, 87, 88
- Commercial interests, 30
- Committees, See also Committee, legislative; See also Committee, national
 - Chicago organization, 239
 - Congressional, 232
 - county, 234
 - district, 234
 - Philadelphia organization, 239
 - senatorial, 232
 - state, 232
 - steering, 397
 - Tammany Hall, 235
- Committees of correspondence, 13
- Committees, legislative:
 - appointment, 397
 - election, 397
 - importance, 396
 - party representation, 396
 - seniority, 398
- Committees, national:
 - chairman, 231
 - committees of, 231
 - composition, 230
 - convention call, 205, 208
 - history, 230
 - how chosen, 231
 - patronage influence, 382
 - permanent headquarters, 231
 - preliminary meeting, 211
 - vacancies, 223
- Compromise of 1850, introduced by Clay, 73
- Compulsory voting, 344
- Conference, 395

- Conference for Progressive Political Action, 225
- Congregationalists:
in early American politics, 12
influence, 148
- Congress, control, 1789-1929, 479
- Conkling, Roscoe, fight with Garfield, 99
- Conservative or regular Republicans, 7
- Constitution of the United States, 485:
See also Constitutional convention
ratification of, 22
- Constitutional Convention:
anti-Federalist attitude, 22
compromises, 20
Federalist attitude, 22
Hamilton's work, 20
large and small states, 20
later activities of members, 25
Northern and Southern states, 21
parties in, 20
personalty interests, 20
personnel, 19
property qualifications, 19
Randolph's work, 20
slavery, 21
- Contributions, campaign, Federal officials, 312
- Control, Legislative:
bi-partisan, 390
disadvantages of having, 391
nominal majority, 391
non-partisanship, 390
organization held up, 391
party, 390
patronage, 391
- Convention, constitutional, See Constitutional convention.
- Convention, national: See also Convention, nominating.
alternates, 206
Anti-Masonic of 1831, 176
band wagon, 216
Bryan's views, 211
call, 205, 208
campaign manager, 222
candidates classified, 219
city, 205
committees, 213, 224
contesting delegates, 178
dark horse, 219
dead lock, 216
delegates chosen by conventions, 209
- Convention, national (*Cont.*):
delegates' expenses, 224
delegates, number, 206
demonstrations, 215
disadvantages, 192
favorite sons, 220
Federalist of 1812, 176
final arrangements, 211
first, 66
first Democratic, 176
first Whig, 176
instructions, 209, 210
key note speech, 213
maneuvering, 222
military record, 221
national primary law, 209, 210
nominating speeches, 215
nomination of candidates, 215
notification of candidates, 224
personnel, 223
pivotal states, 220
platform, 213
prayer, 212
preliminary committee meeting, 211
Presidential preferential primary, 209, 210
reductions in delegations, 207
renomination chances, 221
seconding speeches, 215
Southern delegations, 207, 224
stampede, 216
straddling planks, 214
temporary chairman, 211, 212
temporary roll, 211
two-thirds rule, 215, 217
types and availability, 219
unit rule, 218
vacancies on ticket, 223
Young Whigs, 176
- Convention, nominating: See also Conventions, national
advantages, 179, 194
alternates, 179
Australian ballot, 179
balanced tickets, 195
boss' influence, 193
caliber of candidates, 198
choice of committeemen, 193
city, 178
committeemen, 178
committees, 178
county, 178
creature of rules, 193
delegates, 178

- Convention, Nominating (*Cont.*):
 disadvantages, 179
 district, 178
 early, 177
 early Pennsylvania, 174
 expense, 194
 instructions
 Jacksonian Democracy, 177
 machine support, 192
 minority nominations, 196
 mixed, 174, 175
 New England caucus or primary, 178
 number of candidacies, 194
 organization, 177
 organization influence, 198
 participation in, 197
 platform, 195
 possibilities of compromise, 196
 precinct, 178
 pre-primary, 188
 presidential electors, 188
 proxies, 179
 qualifications of delegates, 178, 198
 response of citizen, 194
 rump, 178
 social features, 196
 state, 177, 178
 town, 177
 unit of representation, 177
- Converts, 250
- Cook county, 9
- Coolidge, Calvin:
 bi-partisan boards, 400
 civil service, 378
 elected President, 136, 137, 138
 elected Vice President, 133, 134
 succeeds to Presidency, 136
- Cooper, Peter, Presidential candidate, 90
- Corporations, contributions from:
 state laws, 311
 Tillman act, 311
- Corrupt practices, 289
- Cortelyou, George B., campaign chairman, 118
- Cox, James M.:
 heckled, 256
 intellectual support, 249
 Polish support, 251
 Presidential candidate, 134
- Coxey's army, 107
- Crawford, William H.:
 opposes Monroe, 56
- Crawford, William H. (*Cont.*):
 Presidential candidate, 57, 58
 Credentials committee, 213
 "Crown of thorns and cross of gold," 219
- Culbertson, William S., 401
- Cullop, William A., Indiana primary, 191
- Cumulative voting:
 criticism, 356
 described, 356
- Curtis, George William, civil service, 375
- D
- Dallas, George M., Vice Presidential candidate, 71
- Dana, Francis, French mission, 39
- Daniel, John W., convention chairman, 217
- Dark horse, 219
- Dartmouth College case, 50
- Daugherty, Harry M.:
 Harding's nomination, 220, 223
 investigation of, 136
- Davie, William R., French mission, 41
- Davis, Henry G., Vice Presidential candidate, 117
- Davis, John W.:
 campaign contribution, 281
 Presidential candidate, 177, 178
- Dawes, Charles G., elected Vice President, 136, 137, 138
- Dayton, Jonathan, British debts, 33
- Dayton, William L., Vice Presidential candidate, 76
- Deadlock, 216
- Debates, 256
- Defensive and offensive, 254
- Delegates:
 chosen by conventions, 208
 chosen by primaries, 209
 expenses, 224
- Democratic-Republican party: See Democrats; See Republicans
- Democrats:
 gold, 7, 108
 Jackson, 63
 peace, 84
 two-thirds rule, 216
 unit rule, 217
 war, 84
- Democrats and Populists, 9

Denby, Edwin, 136
 Deneen faction, 239
 Department of Commerce and Labor, 116
 Designation, 180
 Dever, William E., support for mayor, 249
 Dingley tariff, 113
 Direct legislation: See Initiative and referendum
 Dodge, Henry, supports Cass, 73
 Donaldson, William J., Vice Presidential candidate, 76, 77
 Donkey, Democratic, 6
 Douglas, Stephen A.:
 admission of Kansas and Nebraska, 75
 Charleston convention, 217
 Compromise of 1850, 74
 gerrymander, 353
 Lincoln debate, 77
 Presidential candidate, 78
 Dred Scott case, 77
 Droop quota, 363, 368
 Dry bloc: See Bloc.

E

Eaton, Dorman B., civil service, 375
 Eaton, Mrs. Peggy, 60, 64
 Edge faction, 8
 Editorials, 259
 Election boards, 331
 Electoral commission, 91
 Electors for President, how chosen, 46
 Elephant, Republican, 6
 Elkins act, 116
 Ellmaker, Amos, Vice Presidential candidate, 66
 Ellsworth judiciary act, 47
 Ellsworth, Oliver, French mission, 41
 Emblems and insignia,
 ballot, 7
 Democratic donkey, 6
 G. O. P., 7
 Miss Democracy, 7
 Progressive bull moose, 7
 Prohibition camel, 7
 Emotional appeals, 250
 English parties:
 Cavaliers and Roundheads, 11
 Liberals and Conservatives, 11
 Whigs and Tories, 11

English, William H., Vice Presidential candidate, 98
 Era of Good Feeling, 56
 Everett, Edward, Vice Presidential candidate, 78
 Excise tax:
 Giles' attitude, 29
 Hamilton recommends, 29
 Jackson opposes, 29
 Jefferson accepts, 29
 Maclay opposes, 29
 Madison accepts, 29
 Expenditures, campaign:
 Federal Corrupt Practices Act of 1925, 314
 Gerry act, 313
 McCall act, 312
 Newberry policy, 314
 Rucker act of 1911, 312
 Rucker act of 1912, 313
 state laws concerning:
 Alabama, 292
 Arizona, 293
 Arkansas, 293
 California, 293
 Colorado, 294
 Connecticut, 294
 Delaware, 294
 Florida, 295
 Georgia, 295
 Idaho, 295
 Indiana, 295
 Iowa, 296
 Kansas, 296
 Kentucky, 296
 Louisiana, 297
 Maine, 297
 Maryland, 298
 Massachusetts, 298
 Michigan, 299
 Minnesota, 299
 Missouri, 300
 Montana, 300
 Nebraska, 300
 Nevada, 301
 New Hampshire, 301
 New Jersey, 302
 New Mexico, 303
 New York, 303
 North Carolina, 304
 North Dakota, 304
 Ohio, 304
 Oklahoma, 305
 Oregon, 305

Expenditures, campaign (*Cont.*):

Pennsylvania, 305
 South Carolina, 306
 Texas, 306
 Utah, 307
 Vermont, 308
 Virginia, 308
 Washington, 308
 West Virginia, 308
 Wisconsin, 309
 Wyoming, 309

F

Faction:

barnburners, 7
 Conservative or regular Republican,
 7
 definition, 7
 Edge, 8
 gold Democrats, 7
 Harrison-Dunne-O'Connell, 8, 239
 hunkers, 7
 insurgent progressive Republican, 7
 reactionary, 7
 silver Republicans, 7
 standpatter, 7

Fairbanks, Charles W.:

elected Vice President, 117, 118
 second Vice Presidential nomination,
 131

Fall, Albert B., 136

Farm bloc, 8

Farm Loan Bank System, 130

Farm vote, 146, 251

Farmer-Labor party, non-partisan
benefits, 200

Favorite son, 220

Federal Corrupt Practices Act of 1925,
314

Federalist disloyalty, 53

Federalists, ratification of Constitu-
tion, 22

Federalist, The, 23

Federal Reserve System, 129

Federal Trade Commission, 129, 400

Field, David Dudley, partisanship, 423

Field, James G., Vice Presidential
candidate, 105

Fifteenth Amendment, 159

Fillmore, Millard:

candidacy of 1856, 76, 77
 influential with Taylor, 73
 nominated for Vice President, 72

Fitzpatrick, Benjamin, declines Vice
Presidential nomination, 78, 216

Fletcher vs. Peck, 49

Floyd, John, electoral support, 67

Ford, Henry, party affiliation, 422

Fordney, Joseph W., tariff, 135

Foreign language newspapers, 251

Fourteenth amendment, 159

Frauds, ballot:

changing, 333
 distinguishing marks, 334
 endless chain, 333
 falsification, 333
 folding, 335
 initials on, 334
 Philadelphia device, 333
 repeaters, 334
 stay away bribes, 334
 stuffing, 332

Freedmen's bureau, established, 87

Freeport doctrine, 77

Free Soilers, balance of power in
House, 73

Fremont, John C.:

candidacy of 1864, 85
 first Republican Presidential candi-
 date, 76

French Revolution:

influence on American politics, 31
 Jefferson's sympathies, 31

Full dinner pail, 252

Funding:

Hamilton proposes, 28
 Maclay opposes, 28

Funds, collection of:

candidates' contributions, 281
 committee treasurer, 281
 contributions to rival parties, 284
 corporation officials and stockhold-
 ers, 283

Democratic national plans, 285

individual citizens' contributions,
284LaFollette Progressive national
plans, 286

local assessments, 282

newspaper aid, 214

office holders' contributions, 282

party officials' contributions, 283

Republican national plans, 284

selfish citizens' contributions, 283

solicitation prohibitions, 282

Funds, county campaign, New York
in 1926, 279

- Funds, local campaigns: See Funds, collection of
- Funds, national campaign: See also Funds, collection of
- Borah report for 1924, 271
- Buchanan's expenses, 266
- Democratic plans, 285
- Hanna's work, 266
- Kenyon report for 1920, 268, 270
- LaFollette Progressive plans, 286
- Lincoln's expenses, 266
- patronage, 382
- pre-convention in 1920, 271
- Republican deficit of 1892, 268
- Republican plans, 284
- Years 1904-1920, 268
- Funds, state campaign: See also Funds, collection of
- Borah report for 1924, 272
- Illinois in 1926, 278
- Kenyon report for 1920, 269
- New York in 1926, 281
- Ohio, 1914-1926, 281
- Pennsylvania in 1926, 277
- Reed investigation, 277
- Fusion:
- Cook county, 9
- definition, 8
- Democrats and Populists, 9
- Greeley and Brown, 8
- judiciary, 9
- laws against, 9
- G
- Gallatin, Albert, whiskey rebellion, 34
- Garfield, James A.:
- civil service reform, 375
- dark horse, 219
- elected President, 98, 99
- fight Conkling and Platt, 99
- Genet, "Citizen," 32
- German vote, 144
- Gerry, Elbridge:
- difficulties with France, 39
- elected Vice President, 54
- Federal judiciary, 47
- gerrymander, 347
- Gerrymander:
- Allegheny county, Pennsylvania, 353
- Arizona, 348
- Chicago vote, 349
- Congress, 354
- Gerrymander (*Cont.*):
- constitutional provision, 348
- definition, 347
- Delaware, 349
- Douglas' election, 313
- Harrison's opinion, 349
- Henry's action, 347
- Illinois, 350, 354
- legislative action, 340
- legislative inaction, 354
- Lincoln's defeat, 353
- Madison's district, 347
- Maryland, 348
- McKinley's district, 353
- Minneapolis, 354 •
- Mississippi, 349, 352
- Missouri, 354
- Montana, 348
- Nevada, 348
- New Jersey, 348
- New York, 348
- Penn's action, 347
- Rhode Island, 348
- saddlebag district, 352
- shoe string district, 352
- South Carolina, 348
- Texas, 348
- Vallandigham's defeat, 353
- Vermont, 348
- Giles, William B., opposes excise tax, 29
- Glassie, Henry H., 401
- Gorman, Arthur P., tariff act, 106
- Graft:
- contracts, 386
- definition, 385
- jack pot, 385
- Pennsylvania capitol, 387
- underworld, 385
- Graham, William A., Vice Presidential candidate, 74
- Granger, Francis, Vice Presidential candidate, 68
- Grant, Ulysses S.:
- elected President, 87, 88
- policies of, 88
- reelected President, 89
- third term defeat, 98
- Grayson, William, Federal judiciary, 47
- Greeley, Horace:
- Presidential candidate, 88, 89
- opposes Santo Domingo annexation, 88

Greeley and Brown, 8, 88, 89
 Greenbacks, use in West, 97
 Grundy, Joseph R., campaign contributions, 277

H

Hague, Frank, party leadership, 229
 Hale, John P.:
 declines Free Soil nomination, 73
 Free Soil Presidential candidate, 74
 Hale, Matthew, supports Wilson, 172
 Half breeds, 98
 Hamilton, Alexander:
 commercial interests, 30
 Constitutional convention, 20
 election of 1800, 41
 French Revolution, 31
 fundamental differences with Adams 36
 influences Bayard, 42
 Jay treaty, 34
 leaves Cabinet, 35
 National Bank, 29
 opposes Burr for governor, 51
 party leadership, 62
 proposes assumption, 28
 protection of manufacturers, 30
 recommends excise tax, 29
 Report on the Public Credit, 27
 sinking fund, 29
 Hamilton Club, 239
 Hamlin, Hannibal, elected Vice President, 78
 Harding, Warren G.:
 bi-partisan boards, 400
 calls armaments conference, 135
 civil service, 377
 elected President, 133, 134
 favorite son, 220
 heckled, 256
 World Court, 135
 Hare system:
 advantages and disadvantages, 362
 description, 362
 Droop quota, 363
 introduction, 362
 Hancock, Winfield S., Presidential candidate, 98
 Hanna, Marcus A.:
 financial interests support, 113
 McKinley campaign funds, 266
 Harlem district, 144, 251

Harrison, Benjamin:
 civil service, 376
 elected President, 102, 103
 on gerrymander, 349
 renominated for President, 104
 Harrison-Dunne-O'Connell faction, 7, 239
 Harrison, William H.:
 Anti-Masonic nomination, 68
 elected President, 69, 70
 spoils system, 374
 Whig Presidential candidate, 69
 Hartford convention, 55
 Hayes, Rutherford B., elected President, 90, 91
 Hayne, Robert Y., 65
 Head and tail strength, 145
 Heckling, 256
 "He kept us out of war," 132
 Hendricks, Thomas A.:
 first Vice Presidential candidacy, 90, 91
 successful Vice Presidential candidacy, 100, 101
 Heney, Francis J., supports Wilson, 132
 Henry, John, 53
 Henry, Patrick:
 French mission, 41
 gerrymander, 347
 supports Monroe, 26
 Hepburn act, 119
 Hill, David B.:
 convention chairmanship, 212
 reelected governor, 102
 Hill, Isaac, kitchen cabinet, 64
 Hoar, George F., Philippine acquisition, 114
 Hobart, Garret A., elected Vice President, 107, 108
 Huerta, Victoriano, 130
 Hughes, Charles E.:
 bets on, 264
 Presidential candidate, 131
 woman suffrage, 166
 Hunkers, 72

I

Income tax rates, 136
 Indifference of electorate:
 compulsory voting, 343
 vote in 1924, 340
 vote in 1926, 343

Ingersoll, Jared, Vice Presidential candidate, 54

Initiative and referendum:

- advantages, 406
- compulsory, 403
- constitutional conventions, 405
- defined, 403
- disadvantages, 410
- education, 416
- Federal constitutionality, 408
- for amending constitutions, 405
- League of Nations, 416
- local option, 408
- Missouri Democrats, 416
- optional, 403
- petitions, 404
- primary, direct, 412
- progressive vs. conservative, 417
- prohibition, 413
- provisions of state laws, 406
- publicity pamphlets, 410
- public policy law, 408
- states adopting, 403
- taxation, 416
- utilities, 414

Ins and Outs, 254

Insurgent or progressive Republicans, 7

Irish immigrants, Democratic affiliations, 251

Irish vote, 144, 251

Iroquois Club, 239

Issues:

- described, 252
- variance of, 253

J

Jack pot, 385

Jackson, Andrew:

- attitude toward Calhoun, 65
- Bank veto, 65
- brings Van Buren forward, 66
- elected President, 58
- first Presidential candidacy, 57
- French relations, 67
- Kitchen cabinet, 64, 65
- Maysville veto, 64
- names successor, 68
- New Orleans, 55
- party leadership, 62, 228
- renominated for President, 66
- spoils system, 373

Jackson, James:

- Federal judiciary, 47

Jackson, James (*Cont.*):

- opposes excise tax, 29
- opposes funding, 28

Jacksonian era, 62

Jay, John, treaty with England, 33

Jefferson, Thomas:

- assumption attitude, 28
- bankruptcy act, 51
- diplomatic difficulties, 52
- early attitude toward Federalists, 27
- early support, 31
- elected President, 41
- elected Vice President, 35
- excise tax position, 29
- fear of Jackson, 63
- Federal judiciary, 48
- French Revolution, 31
- Kentucky resolutions, 39
- leaves Cabinet, 32
- Louisiana Purchase, 50
- National Bank, 29
- organizes, 30
- party leadership, 62, 228
- reelected President, 51
- tariff position, 30

Jewish influence, 148

Johnson, Andrew:

- elected Vice President, 85, 86
- impeachment of, 87

Johnson, Herschel V., Vice Presidential candidate, 78

Johnson, Hiram W.:

- partisanship, 423
- Vice Presidential candidate, 225

Johnson, Richard M., elected Vice President, 68

Johnson, William F., Vice Presidential candidate, 76

Judiciary:

- fusion, 9
- packed by Federalists, 47

Julian, George W., Vice Presidential candidate, 74

K

Kansas, admission of, 75

Kendall, Amos, kitchen cabinet, 64

Kent, William, 401

Kenyon, William S., funds report, 268

Kern, John W., Vice Presidential candidate, 120

- Key note speech, 213
- King, Rufus:
 first Vice Presidential candidacy, 51
 Presidential candidacy, 56
 second Vice Presidential candidacy, 53
- King, William R., Vice Presidential candidate, 74
- Kitchen cabinet:
 favors Jackson's renomination, 65
 two-thirds rule, 216
- Know Nothings, 75, 76
- Ku Klux Klan (new) platforms of 1924, 214
- Ku Klux Klan (old) Negro suffrage, 160
- L**
- Labor:
 Democratic sympathy, 146
 vote, 251
- LaFollette, Robert M., Presidential candidate, 137, 138, 225
- Lane, Joseph, Vice Presidential candidate, 78
- Leader:
 defined, 228, 229
 national, 228
- Leaflets, 259
- League of Nations:
 issue in 1920, 133, 134, 135
 referendum proposed, 416
 Republican platform of 1920, 214
- Lecompton constitution, 77
- Legislation, direct: See Initiative and referendum
- Legislative trading, 385
- Lewis, Major, kitchen cabinet, 64
- Liberals and Conservatives: See English parties
- Limitation of Armaments Conference, 135
- Limited vote, 355
- Lincoln, Abraham:
 campaign expenditures, 266
 Douglas debates, 77
 elected President, 78
 gerrymander, 353
 reelected President, 85, 86
- List System:
 advantages and disadvantages, 369
 description of, 367
 D'Hondt method, 369
 Droop quota, 368
- Livingston, Brokholst, early Anti-Federalist, 27
- Livingston faction, 53
- Livingston, Robert R., Louisiana Purchase, 50
- Local campaigning, 262
- Local option, 408
- Lockwood, Belva A., Presidential candidacies, 101
- Lodge, Henry Cabot:
 force bill, 160
 reservations, 133, 134
- Lodge reservations, 133, 134
- Logan, John A.:
 gum shoe campaign, 257
 Vice Presidential candidate, 100
- Log rolling, 385
- Louisiana Purchase, 50
- Lowden, Frank O., declines Vice Presidential nomination, 215
- Loyalists, See Tories
- Lusitania, 130
- M**
- Machine, defined, 229
- Maclay, William B.:
 opposes excise tax, 29
 opposes funding, 28
- Madison, James:
 elected President, 53
 elected to Congress, 26
 excise tax, 29
 gerrymander, 347
 House leader, 27
 National Bank, 29
 nominated for President, 52
 party leadership, 62
 reelected President, 54
 renominated for President, 53
 secretary of state, 53
 tariff, 30
 trade restriction, 33
 Virgin resolutions, 39
- Mails, use of, 254
- Marbury vs. Madison, 48
- Marcy, William L., Compromise of 1854, 74
- Marshall, John:
 chief justice, 47
 French difficulties, 39
- Marshall, Thomas R.:
 elected Vice President, 123, 124
 reelected Vice President, 131, 132

Maysville road bill, 64
 McClellan, George B.:
 on war prosecution, 253
 Presidential candidate, 85
 McCulloch, Hugh, tariff, 92
 McCullough vs. Maryland, 50
 McCumber, Porter J., tariff, 135
 McGovern, Francis E., convention
 chairman, 212
 McHenry, James, disloyalty to Adams,
 41
 McKean Republicans, 52
 McKinley, Jr., William:
 civil service, 376
 defeated for Congress, 103
 elected President, 107, 108
 front porch campaign, 258
 gerrymander, 353
 McKinley tariff act, 103
 opposes Cleveland's tariff views, 102
 reelected President, 114, 115
 McKinley, William B., campaign ex-
 penditures, 278
 McLean, John:
 declines Presidential nomination, 66
 Ohio legislature nominates, 68
 Meetings, 255
 Mellon, Andrew W., campaign con-
 tributions, 277
 Membership in party:
 acquisition through association, 6
 acquisition through inheritance, 6
 selfishly and unselfishly inspired, 5
 Memphis Commercial-Appeal, 264
 Merriam, Charles E., 249
 Methodist Episcopal influence, 149
 Mexican War, 72
 Milan decree, 52
 Military record, 221
 Mills, Roger Q., tariff bill, 102
 Monroe, James:
 candidate for Congress, 26
 elected President, 56
 party leadership, 62
 recalled from Paris, 34
 reelected President, 57
 resentment toward Jefferson, 52
 Morris, Thomas, nominates for Vice
 President, 71
 Murdock, Victor:
 Federal Trade commissioner, 400
 supports Wilson, 132
 Mooney, William, 235
 Morrill, Justin S., tariff bills, 92

Morrison, William R.:
 gum shoe campaign, 257
 tariff reform, 101
 Morton, Levi P., elected Vice Presi-
 dent, 102, 103

N

Names, why chosen, 5
 National Bank: See Bank, National
 National Civil Service Reform
 League, 377
 National Executive Committee of So-
 cialist party, 242
 National Progressive Republican
 League, 209
 National Republicans, 64
 National Woman's Party, not a party,
 4
 Native Americanism, 75
 Naturalization Act of 1798, 38
 Nebraska, admission of, 75
 Negro vote, 144
 Newberry, Truman H.:
 campaign expenditures, 314
 policy of Senate, 316
 New England, availability of candi-
 dates from, 221
 New Orleans, battle of, 85
 New York City Organization, 238
 Nineteenth amendment, 166
 Nominations; See also Caucus, Con-
 gressional nominating; See also
 Caucus, legislative nominating;
 See also Nominations, colonial
 designation, 180
 early Presidential, 174
 independent, 181
 legislative resolutions, 175
 mass meetings, 175
 national conventions, 215
 petition, 181
 Presidential by state conventions,
 175
 restricted, 187
 Nominations, colonial:
 caucus, 172
 committee of correspondence, 172
 conference committee, 172
 Connecticut, 171
 Continental Congress, 172
 Massachusetts, 171
 middle colonies, 171
 New England, 171

Nominations, colonial (*Cont.*):

- self announced, 171
- Sons of Liberty, 172
- South, 171
- Whigs, 171
- Non-affiliates of party, 421
- Non-intercourse, 53
- Non-Partisan League:
 - not a party, 4
 - use of direct primary, 200
- Normal majorities, 142, 143
- Norris, George W., House rules, 121
- Northern Securities case, 116

O

- Occupational appeals, 251
- O'Connor, Charles, nominated for President, 89
- Ohio greenback idea, 87
- Olvany, George W., Tammany leader, 237
- Oregon question, 71, 72
- Organization:
 - defined, 230
 - devoted to political purposes, 3
 - party, 228
- Osgood, Samuel, early Anti-Federalist, 27
- Ostend Manifesto, 75
- Outdoor Meetings, 255

P

- Page, Carrol S., 398
- Pairs:
 - general, 399
 - on Constitutional amendments, 400
 - sanctity, 400
 - special, 399
 - transferring, 399
- Palmer, John M.:
 - partisanship, 424
 - Presidential candidate, 108
- Pamphlets, 259
- Panama canal tolls repeal, 130
- Panama mission, 58
- Panic of 1837, 69
- Parades, 255
- Parker, Alton B.:
 - convention chairmanship, 212
 - Presidential candidate, 117, 118
- Parker, John M., Vice Presidential nominee, 131
- Partisanship, 421
- Party:
 - choice of names, 5
 - definition and description, 1, 3
 - essentials, 2
 - necessity of candidates, 2
 - necessity of members, 3
 - necessity of organization, 2
 - necessity of policies, 3
 - necessity of principles, 3
- Party organization, introduction under Jackson, 63
- Patriots: See Whigs
- Patronage: See Perquisites
 - Congressional clerical hire, 383
 - Congressional influence, 381
 - early Federal, 372
 - factional considerations, 382
 - Federal, 380
 - gubernatorial, 382
 - influence of fund contributors, 382
 - judicial, 384
 - legislative, 391
 - legislative appointments, 384
 - legislative influence, 383
 - national committee influence, 382
 - prominent party workers, 382
 - restrictions on President, 380
 - senatorial influence, 381
 - state, 382
 - strength and weakness, 380
- Pattison, Robert E., elected governor, 100
- Payne, Sereno E., tariff, 120
- Pendleton, George H.:
 - candidate for Vice President, 85
 - Civil Service law, 375
- Pennsylvania Dutch vote, 144
- Penn, William, gerrymander, 347
- People's party: See Populists
- Pepper, George W., campaign expenditures, 273
- Permanent Organization committee, 213
- Perquisites:
 - description, 384
 - interest on money, 384
 - Vare machine, 384
- Petitions:
 - initiative and referendum, 404
 - nominating, 181
 - primary, 185
- Philadelphia:
 - ballot fraud, 333
 - organization, 239

- Pickering, Timothy:
 - disloyalty to Adams, 41
 - favors Burr, 51
- Pierce, Franklin, Presidential candidate, 74
- Pinchot, Gifford, 121:
 - Ballinger controversy, 121
 - campaign expenditures, 277
 - gubernatorial nomination, 193
- Pinckney, Charles C.:
 - Adams' running mate, 40
 - minister to France, 39
 - Presidential candidate, 51
 - second Presidential nomination, 53
- Pinckney, Thomas, candidate for President, 35
- Pinckney, William, treaty with Great Britain, 52
- Pivotal states, 220
- Platform, 213
- Platform and resolutions committee, 213
- Platforms of 1924:
 - agriculture, 452
 - Alaska, 468
 - Armenia, 447
 - army and navy, 471
 - aviation, 470
 - campaign contributions, 475
 - changes in Federal courts, 461
 - child welfare, 456
 - coal, 459
 - collective bargaining, 477
 - conclusion, 478
 - conservation, 464
 - Constitutional guarantees, 477
 - cooperative enterprise, 455
 - corruption in government, 472
 - credits and currency, 435
 - departmental organization, 450
 - education and relief, 465
 - flood control, 462
 - foreign debts, 449
 - fraudulent stock sales, 436
 - Germany, 447
 - governmental control, 459
 - Greece, 447
 - Hawaii, 468
 - highways, 455
 - immigration and naturalization, 466
 - international affairs, 448
 - introduction, 429
 - labor, 456
 - Latin America, 446
 - Platforms of 1924 (*Cont.*):
 - law and order, 473
 - League of Nations, 441
 - merchant marine, 460
 - mining, 455
 - mobilization for war, 466
 - narcotics, 476
 - negro, 471
 - Philippines, 468
 - popular elections, 467
 - postal employes, 451
 - private monopolies, 436
 - probation, 457
 - public economy, 434
 - railroads, 458
 - reclamation, 470
 - records and issues in general, 430
 - states' rights, 476
 - tariff and taxation, 437
 - Versailles treaty, 441
 - Virgin Islands, 469
 - war and disarmament, 443
 - war veterans, 463
 - water power, 462
 - waterways, 462
 - women in politics, 474
 - World Court, 441
- Platt amendment, 116
- Platt, Thomas H.:
 - fight with Garfield, 99
 - sponsors Roosevelt, 114
- Plumer, William, anti-Monroe elector, 57
- Poindexter, Miles, 398
- Polish support, 251
- Political service, 424
- Politics, attractions of, 425
- Polk, James K.
 - dark horse, 219
 - elected President, 71
 - nominated for President, 71
- Poll:
 - defined, 263
 - to ascertain issue, 254
- Polls, hours of, 331
- Populist party: See Populists
- Populists:
 - birth of party, 104
 - maximum strength, 106
 - North Carolina, 162
 - views of, 104
- Pork barrel, 385
- Potter committee, 90
- Predictions, 263

Pre-Revolutionary stock, 144

Primary, direct:

- advantages, 192
- affidavit of signatures, 186
- alphabetic position, 186
- balanced tickets, 195
- ballot position, 186
- ballots, 187
- boss' influence, 193
- caliber of candidates, 198
- choice of committeemen, 193
- closed, 188
- conduct, 185
- creature of statutes, 193
- dates, 191
- disadvantages, 194
- expense, 194
- first introduction, 184
- historical, 184
- Indiana plan, 191
- initiative and referendum, 412
- Iowa plan, 191
- legislative regulation, 184
- machine opposition, 192
- mandatory, 184
- minority nominations, 196
- non-partisan, 199
- number of candidacies, 194
- open, 188
- optional laws, 184
- organization influence, 198
- participation in, 197
- party eligibility, 185
- party rules, 184
- petition, 185
- petitioners required, 186
- platform lacking, 195
- pledge of support, 186
- possibilities of compromise, 196
- preferential, 190
- pre-primary conventions, 188
- Presidential preferential, 209
- qualifications of voters, 198
- regularity, 187
- response of citizen, 194
- restricted nominations, 187
- rotation of position, 186
- run-off, 190
- social features lacking, 196
- Southern, 162
- use of, 200
- voter's affiliation, 189

Progressive or insurgent Republicans,

7

Progressives:

- origin of party, 122
- recall of judicial decisions, 418

Prohibition:

- influence of, 147
- initiative and referendum, 413

Proportional Representation League:

- See also Hare system; See also List system

Hare system, 362

not a party, 4

Protective tariff farm block: See Bloc

Publicity bureaus, 259

Publicity, campaign:

- advertisements, 259
- billboards, 259
- bureaus, 259
- cards, 260
- editorials, 258
- leaflets, 259
- pamphlets, 259
- speeches, 259

Publicity pamphlets:

- corrupt practices laws:
 - North Dakota, 317
 - Oregon, 318

initiative and referendum, 410

Public Policy law, 408

Pullman strike, 107

Q

Quay, Matthew S., 228

R

Racial appeals, 250

Rambouillet decree, 53

Randall, Samuel J., opposition to tariff reform, 101

Randolph, Edmund:

- Constitutional convention, 20
- in Cabinet, 32
- National Bank, 29

Randolph, John, of Roanoke:

- impeachment of Chase, 49
- leads Quids, 52

Reactionary, see Faction, 7

Readjuster movement, 161

Recall of judicial decisions, 418

Recall of officials, 417

Reconstruction:

- election of 1866, 88
- Grant's attitude, 88

Reconstruction (*Cont.*):

- Presidential veto, 87
- removal of Stanton, 87
- suffrage, 157
- tenure of office act, 87
- twenty-second joint rule, 86

Reconstruction, Congressional: See Reconstruction

Records, 252

Registration, 327

Reed, James A.:

- campaign expenditures of 1926, 277
- senatorial nomination, 197

Reed, Thomas B.:

- opposes Cleveland's views, 102
- tariff revision, 99

Reid, Whitelaw:

- partisanship, 423
- Vice Presidential candidate, 104

Religious influence, 148

Representation, disproportionate, Indiana, 354

Representation, proportional: See Hare system; See List system

Republicans:

- former Anti-Federalists, 30
- Liberal, 88
- origin at Ripon, 75
- origin under Jefferson, 31
- rise of, 120
- unit rule, 219

Republicans, Liberal, 88

Ring:

- defined, 229
- discussed, 229
- Tweed, 229
- Whiskey, 89

Ripper legislation, 385

- Rives treaty, 67

Roads, early Republican attitude, 59

Roosevelt, Franklin D., Vice Presidential candidate, 134

Roosevelt, Theodore:

- attitude toward business, 116
- becomes President, 116
- civil service, 376
- elected Vice President, 114, 115
- first third term statement, 118
- nomination in 1900, 114
- nomination of 1916, 131
- partisanship, 423
- party leadership, 229
- picks Taft, 119
- Progressive candidacy, 122, 225

Roosevelt, Theodore (*Cont.*):

- reelected, 116, 117, 118
- whirlwind campaign, 258

Root, Elihu, convention chairman, 122, 212

Royalists: See Tories

Rules committee, 213

"Rum, Romanism and Rebellion," 101, 252

Rural vote, 146, 147

Rush, Richard, Vice Presidential candidate, 59

S

Sachems: See Tammany Hall

St. John, John P., vote in 1884, 102

Santo Domingo annexation, 88

Schools for Workers and Speakers, 261

Schurz, Carl:

- civil service attitude, 375
- partisanship, 424

Scotch Presbyterian influence, 148

Scott, Winfield:

- Mexican war, 72
- Presidential, 74

Seconding speeches, 215

Sectional dominance, 143

Senatorial courtesy, 381

Sewall, Arthur, Vice Presidential candidate, 107

Seward, William H.:

- Compromise of 1850, 74
- influential with Taylor, 73
- partisanship, 424

Seymour, Horatio:

- dark horse, 219
- Presidential candidate, 87

Shenandoah valley Dutch, 144

Sherman, James S.:

- elected Vice President, 119, 120
- renominated for Vice President, 122
- Sherman silver purchase clause, repeal of, 107

Short ballot:

- aims, 337
- National Municipal League, 337
- National Short Ballot Organization, 337
- New Jersey vote, 1927, 339
- New Mexico vote, 1927, 339
- New York vote, 1927, 339
- objections, 339
- separation of elections, 339

- Silver, free:
 Act of 1900, 114
 Allison bill, 97
 Bland bill, 97
 Parker's telegram, 117
 splits Prohibitionists, 108
 Silver Republicans: See Faction
 Simmons, Furnifold M., tariff, 129
 Sinking fund, Hamilton's views, 29
 Slavery:
 Constitutional Convention, 21
 Republican mission, 96
 Slogans, 252
 Smith, Alfred E., primary attitude, 187
 Smith, Frank L., campaign expenditures, 278
 policy of Senate, 316
 Smith, Robert, secretary of state, 53
 Snyder Republicans, 52
 Socialist organization, 241
 Socialist pledge, 242
 Socialist World, 242, 244
 Society of St. Tammany, 235
 Solicitation, 261
 Spanish-American war, 114
 Speakers' bureau, 255
 Speeches, 259
 Spoils system: See also civil service
 established, 373
 first reform legislation, 374
 Jackson's attitude, 373
 tenure of office act, 373
 Van Buren's attitude, 373
 Whig policy, 374
 Stalwarts, 98
 Stampede, 216
 Standard Oil suits, 119
 Standpatters: See Faction
 Stanfield, Robert N., Oregon primary, 187
 Stanton, Edwin N., removal of, 87
 Stay-at-home voters, 250
 Stevens, Thaddeus, conflict with Johnson, 86
 Stevenson, Adlai E.:
 candidate in 1900, 115
 elected Vice President, 105
 Stockton, Richard, Vice Presidential candidate, 57
 Straddling, 214
 Stuart, Gilbert, 347
 Stump, Albert, Indiana primary, 191
 Subtreasury bill, 69
 Suffrage: See also Suffrage, colonial;
 See also Suffrage, immigrant and
 See also Suffrage, negro; See also
 Suffrage, white male; See also
 Suffrage, woman's
 educational tests, 163
 non-citizens voting, 164
 Suffrage, colonial:
 good character, 152
 fidelity to government, 155
 property requirements, 153
 religious restrictions, 151
 university franchise, 155
 Suffrage, immigrant and:
 German, 163
 Irish, 163
 Suffrage, negro:
 Chicago mayoralty, 162
 colonial, 150
 extravagance, 159
 Fifteenth amendment, 159
 force bill, 160
 Fourteenth amendment, 159
 grandfather clauses, 161
 Harlem, 162
 investigation of Southern conditions, 160
 Ku Klux Klan (old), 160
 lily white movement, 163
 North Carolina Populists, 162
 Ohio amendment proposed, 162
 present power, 162
 Readjuster movement, 161
 Reconstruction act, 159
 Southern primaries, 162
 Texas primary law, 162
 Suffrage, white male:
 early state, 156
 Jacksonian democracy, 157
 Revolutionary influence, 156
 universal, 155
 Suffrage, woman's:
 abolitionists, 164
 activity of women, 167
 American Woman Suffrage Association, 164
 Congressional Union, 166
 Hughes' attitude, 166
 Illinois presidential, 165
 Kansas school, 165
 National American Woman Suffrage Association, 164
 National League of Women Voters, 167

National Woman's Party, 166
 National Woman Suffrage Association, 164
 New Jersey, 164
 Nineteenth amendment, 166
 picketing, 166
 pioneer states, 165
 Seneca Falls convention, 164
 Wilson's attitude, 162
 World War influence, 160
 Wyoming territory, 165
 Sugar trust suits, 119
 Sumner, Charles:
 Compromise of 1850, 74
 conflict with Johnson, 86
 opposes Santo Domingo annexation, 88

T

Taft, William H.:
 civil service, 376
 elected President, 119, 120
 Polish support, 251
 renominated for President, 122
 supports Harding, 134
 Talleyrand, Charles M., 40
 Tammany Hall:
 assembly district general committee, 235
 assessments, 236
 assistant captain, 237
 Burr's influence, 235
 clubs, 237
 county leader, 237
 district captain, 237
 executive committee, 236
 Mooney's organization, 235
 New York County Democratic-Republican Committee, 236
 political organization, 235
 social service, 238
 Taney, Roger B.:
 chief justice, 48
 Dred Scott case, 77
 Tariff:
 abomination, 64
 act of 1816, 55
 act of 1830, 65
 act of 1832, 65
 acts of 1861, 92
 act of 1862, 92
 act of 1864, 92
 act of 1870, 93
 act of 1872, 93

Tariff (*Cont.*):

Ames' attitude, 30
 Arthur's attitude, 99
 campaign of 1888, 102
 Canadian reciprocity, 121
 Cleveland's recommendations, 101
 Commission, 400
 Dingley act, 113
 Fordney-McCumber act, 135
 Hamilton's recommendations, 30
 Hayes' attitude, 65
 Jefferson's attitude, 30
 Madison's views, 30
 McCulloch's recommendations, 92
 McKinley act, 103
 Mills bill, 102
 Morrill's policies, 91
 Morrison bills, 101
 Payne-Aldrich act, 120
 Randall's opposition, 101
 Republican principle, 65
 Underwood-Simmons act, 129
 Wells' recommendations, 92
 Whig principle, 65
 Taxation, initiative and referendum, 416
 Taylor, John of Caroline, agrarianism, 36
 Taylor, Zachary:
 displeases Clay and Webster, 73
 elected President, 73
 Mexican war, 72
 nominated for President, 72
 supported by Fillmore and Seward, 73
 Teller, Henry M., advocates silver, 214
 Tenure of office act, 87
 Texas annexation, 71, 72
 Text books, 261
 Third term resolutions, 90
 Thompson faction, 239
 Thompson, William Hale:
 negro support, 162
 on King George V, 250
 Three-fourths' rule, 216
 Thurman, Allan G., Vice Presidential candidate, 102
 Tilden-Hayes contested election:
 electoral commission, 90
 Potter committee, 96
 Tilden, Samuel J.:
 elected governor, 89
 partisanship, 423

- Tilden, Samuel J. (*Cont.*)
 Presidential candidacy, 90, 91
 Presidential contested election, 90, 96
- Tillman act, 311
- "Tippecanoe and Tyler too," 69
- Tompkins, Daniel D.:
 elected Vice President
 reelected Vice President, 57
- Torch light processions, 255
- Tories:
 affiliate with Federalists, 14
 fate of, 13
 in Revolution, 13
 of ruling class, 13
 support colonial governors, 13
- Trumbell, Lyman K., partisanship, 423
- Tweed, "Boss":
 Tammany, 228
- Tilden's hostility, 89
- Twelfth amendment, 46
- Twenty-second joint rule:
 adopted, 86
 withdrawn, 91
- Two-thirds rule:
 defeats Van Buren, 71
 history, 216
- Tyler, John:
 breaks with Whigs, 70
 elected Vice President, 69, 70
 first Vice Presidential candidacy, 68
 nominated for Vice President, 69
 succeeds to Presidency, 70
- U
- Underwood, Oscar W.:
 opposes tolls repeal, 130
 tariff, 129
 weakness in primary, 197
- Underwood-Simmons tariff, 129
- Union convention, 87
- Union Labor party, 103
- Union party, 85, 86
- Unit rule, 218
- Unitarian influence, 148
- Urban vote, 146, 147
- Utilities, public, initiative and referendum, 414
- V
- Vallandigham, Clement L.:
 defeated for governor, 85
 gerrymander, 353
- Van Buren, Martin:
 barnburners' candidate, 73
 courtesy to Mrs. Eaton, 64
 elected President, 68
 Free Soil candidate, 73
 minister to England, 66
 nominated for Vice President, 66
 partisanship, 423
 picked for Presidency, 66
 renominated for President, 69
 secretary of state, 64
 spoils system, 373
 supports DeWitt Clinton, 54
 supports Jackson, 59
 two-thirds' rule, 71, 216, 217
- Van Murray, William, French mission, 41
- Vare, William S.:
 campaign expenditures, 277, 278
 party boss, 229
 policy of Senate, 316
- Versailles treaty, 133, 134, 135
- Veterans' bloc, 8
- Veterans' vote, 252
- Vice Presidential nomination, 223
- Villa, Pancho, 130
- Virginia and Kentucky resolutions, 39, 55
- Virginia Dynasty, 55
- Vote cast in 1924 in comparison with population, 340
- Vote, electoral and popular, 1789 to 1925, 481
- Voters' roster, 331
- Voting, compulsory, 344
- Voting machine:
 adoption, 335
 advantages, 337
 description, 335
 objection, 337
 registration, 327
 residential requirements, 326
- W
- Walb plan, 239
- Walker, Robert J.:
 opposes Van Buren, 71
 tariff of 1846, 72
- Walker tariff act, 72
- Ware, W. R., 360
- Warren, Charles B., 136, 138
- Washington, George:
 elected President in 1789, 25
 everyone's candidate, 172

- Washington, George (*Cont.*):
 National Bank, 29
 recalls Monroe, 34
 reelected President, 31
- Watkins, Aaron S., Presidential candidate, 174
- Watson, Thomas E., Vice Presidential candidate, 108
- Watterson, Henry, partisanship, 423
- Weaver, James B.:
 Greenback candidate, 98
 Populist candidate, 105
- Webster, Daniel:
 affiliates with Whigs, 67
 Compromise of 1850, 74
 displeased with Taylor, 73
 Massachusetts Whigs nominate, 68
 supports Pierce, 74
- Wells, David A., tariff recommendations, 92
- West, availability of candidate from, 221
- Wet bloc, 8
- Wheeler, Burton K., Vice Presidential candidate, 137, 138, 225
- Wheeler, William A., elected Vice President, 90, 91
- Whigs:
 colonial nominations, 171
 early American, 12
 formation of party, 67
 of common people, 13
 oppose Irish immigrants, 250
 spoils system, 374
 support colonial assemblies, 13
 unit rule, 218
- Whigs and Tories, 11
- Whips, party, 397
- Whiskey rebellion, 34
- Whiskey ring, 89
- White, Hays B., 330
- Williams, John Sharp, on intelligence, 249
- Wilson, Henry, elected Vice President, 89
- Wilson, William L., tariff act, 106
- Wilson, Woodrow:
 bets on, 264
 bi-partisan boards, 400, 401
 caucus, legislative, 393
 civil service, 376
 elected governor, 122
 elected President, 123, 124
 League of Nations, 133
 national primary law, 210
 party leadership, 128, 229
 political activity, 422
 reelected President, 131, 132
 woman's suffrage, 166
- Wilson-Gorman act, insufficient revenue, 113
- Wirt, William, Presidential candidate, 66
- Withdrawals, 180
- Wolcott, jr., Oliver:
 disloyalty to Adams, 41
 on Congressional nominating caucus, 172
- World Court, Harding's recommendations, 135
- World War, 133
- Wright, Silas L., declines Vice Presidential nomination, 71, 215

X

X. Y. and Z., 40

Y

Young People's Socialist League, 246



